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# **PUBLIC ACTS**

**OF THE**

# **STATE OF TENNESSEE,**

**PASSED AT THE EXTRA SESSION OF THE**

**THIRTY-THIRD GENERAL ASSEMBLY,**

**APRIL, 1861.**

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**PUBLISHED BY AUTHORITY.**

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**1861.**





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# GOVERNOR'S MESSAGE.

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EXECUTIVE DEPARTMENT,  
Nashville, April 25, 1861. }

*Gentlemen of the Senate,  
and House of Representatives:*

THE President of the United States—elected according to the forms of the Constitution, but upon principles openly hostile to its provisions—having wantonly inaugurated an internecine war upon the people of the slave and non-slaveholding States, I have convened you again at the seat of Government, for the purpose of enabling you to take such action as will most likely contribute to the defence of our rights, the preservation of our liberties, the sovereignty of the State, and the safety of our people; all of which are now in imminent peril by the usurpations of the authorities at Washington, and the unscrupulous fanaticism which runs riot throughout the Northern States.

The war thus inaugurated is likely to assume an importance, nearly, if not equal, to the struggle of our revolutionary fathers, in their patriotic efforts to resist the usurpations and throw off the tyrannical yoke of the English Government; a war the duration of which, and the good or evil which must result from it, depends entirely, in my judgment, upon the readiness with which citizens of the South harmonize as one people, and the alacrity with which they respond to the demands of patriotism.

I do not think it necessary to recapitulate, at this late hour, the long train of abuses to which the people of Tennessee, and our sister States of the South, have been subjected by the anti-republican spirit that has for many years been manifesting itself in that section, and which has at last declared itself our open and avowed enemy. In the message which I addressed to you at your called session in January last, these things were somewhat elaborately referred

to, as constituting, in my judgment, the amplest reason for considering ourselves in imminent danger, and as requiring such action on the part of the Legislature as would place the State in an attitude for defence, whenever a momentous crisis should be forced upon us; and, also, presenting to the North the strongest argument for peace, and, if possible, securing a reconstruction of the Union thus already dissolved by the most authoritative, formal and matured action of a portion of the slaveholding States. Minor differences upon abstract questions—the ardent devotion of our people to the preservation of the Union, originating with their great loyalty to the Government—and a more hopeful view of the subject than I had been able to take, coupled with the supposed peaceful intention of the authorities at Washington, have resulted in leaving the State poorly prepared for the sad realities which are now upon us.

But unfortunate as this may be, I am nevertheless encouraged with the belief that we are at last, practically, a united people. Whatever differences may have heretofore existed amongst us, growing out of party divisions, as to the right of Secession as a Constitutional remedy against Federal usurpation, all admit the moral right asserted by our fathers, of each and every people to resist wrong, and to maintain their liberties by whatever means may be necessary; “that Governments derive their just powers from the consent of the governed, and that whenever any form of government becomes destructive of the ends for which it was created, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form as shall to them seem most likely to effect their safety and happiness.” Standing by this common sentiment, with the bloody and tyrannical policy of the Presidential usurper fully before us; in the face of his hordes of armed soldiery, marching to the work of Southern subjugation; the people of the proud Commonwealth of Tennessee—true to their honor, true to the great principles of free institutions, true to the lessons of their fathers, and true to their brethren of the South, the subjects of a common oppression—have united, almost with one voice, in declaring their fixed resolve to resist the tyrant; and in pledging their lives, their fortunes, and their sacred honor to the maintenance of their rights, and the rights of their sister States of the South.

It cannot be overlooked that, in assuming an attitude of this character—forced upon us by the remarkable exigency of the times—we are, in effect, dissolving our connection



the Federal Union. As established by our fathers, the Union no longer exists. However much we may have prized it heretofore, no intelligent and candid man can say that it has ceased to be a blessing, and has become a curse; that it is no longer a high and sacred means of protection, but an engine of oppression; that it has ceased to be a bond of brotherhood, and has become a hateful connection between communities at war. It would be idle, therefore, to speak of ourselves any longer as members of a Federal Union; and while it is believed by many, whose opinions are entitled to the highest respect, that, by reason of the subversion of the Constitution by the authorities in power, inaugurating a revolution between the States thereof, each and every individual is already released from his former obligations to that government, yet, the best comporting with the dignity of the subject, and so from a due regard to those who may hold a different opinion—and farther still, that all the world may be advised of our action—I respectfully suggest that our connection with the Federal Union be formally annulled in such manner as shall involve the highest exercise of sovereign authority by the people of the State, and best secure that harmony, so much to be desired, in times like the present, upon questions even of mere detail. Until this is done, many conscientious citizens may feel embarrassed in their action from their supposed relation to the Federal Government. In emergencies like the present, while it is our duty to act with due deliberation and prudence, unbiassed as far as possible by excitement or prejudice, it is nevertheless of the highest importance that we should act with promptitude and decision.

Whatever grounds of hope may have been supposed to exist heretofore for an adjustment of the difficulties between the two sections of the Federal Union; however anxious we may have been to continue members of the same common family with the people of the North; such hope and expectation no longer exists in the mind of any rational man, who desires to maintain the honor and equality of the State, and the inviolability of her peculiar institutions.

The present administration, elected upon avowed purposes of hostility to the South—purposes which all knew then as well as now, could not be carried into effect, without an internecine war and a dissolution of the Union—has exerted every energy, resorted to every strategy, and disregarded every constitutional barrier, in order to hasten the accomplishment of the unholy mission for which the people of the Northern section had elevated it to power. They have lost no time—they have neither hesitated nor

faltered. The low duplicity in which their Administration was inaugurated—trusting, while conceding nothing, to lull the South into a fatal security, furnishing ground for divisions in the border slave States, while constant though secret preparation for the work of subjugation was going on, is now exposed, and leaves us no alternative but independence out of the Union, or subjugation in it. The dishonorable and treacherous practices which have so far characterized the authorities at Washington, admonish us, that in the impending struggle we are scarcely to expect the rules of honorable warfare. Having its origin in a disordered moral sentiment of the North—not finding the ordinary restraints of patriotism among their people—deriving its power from a usurpation and perversion of the functions of government—having no middle ground short of positive subjugation of the South, or a defeat which exposes its disgrace to the civilized world—I fear the time has passed when peace can be hoped for by the mere moral force of a united South, without a trial of arms. Having succeeded in confusing and dividing the border slave States, they have had ample time for military preparations. The veil which concealed their recent movements has been thrown aside. The note of war has been sounded, and in the imperial proclamation recently issued, the people of the Confederate States, and all who sympathize with them, are treated as rebels, and twenty days allowed them to “disperse” and return to their allegiance to the authorities at Washington. Without waiting for the expiration of the twenty days, in addition to the regular army and naval forces, a militia force of seventy-five thousand has been called into the field to execute this edict, by the power of arms. As if purposely intended to add additional insult to the people of Tennessee, I have been called upon, as their Governor, to furnish a portion of these troops. I have answered that demand as in my judgment became the honor of the State, and leave the people to pass upon my action.

The Federal Union of the States, thus practically dissolved, can never be restored; or if ever thus restored, it must, by the very act, cease to be a Union of free and independent States, such as our fathers established. It will become a consolidated, centralized Government, without liberty or equality, in which some will reign and others serve—the few tyrannize, and the many suffer. It would be the greatest folly to hope for the reconstruction of a peaceful Union, upon terms of fraternity and equality, at the end of an internecine war. There can be no desirable Union without fraternity. And if we could not have that,

before the unholy crusade which is now being waged against us, we cannot have it after they shall have wondrously imbrued their unholy hands in the innocent blood of our people, from no worthier motive than a desire to destroy our equality and subvert our liberties.

Therefore, I respectfully recommend the perfecting of an Ordinance by the General Assembly, formally declaring the Independence of the State of Tennessee of the Federal Union, renouncing its authority, and reassuming each and every function belonging to a separate sovereignty; and that said Ordinance, when it shall have been thus perfected by the Legislature, shall, at the earliest practicable time, be submitted to a vote of the people, to be by them adopted or rejected.

When the people of the State shall formally declare their connection with the remaining States of the Union dissolved, it will be a matter of the highest expediency—I might almost say of unavoidable political necessity—that we shall at the same time, or as soon thereafter as may be, connect ourselves with those with whom a common interest, a common sympathy, and a common destiny identify us, for weal or for woe. That each of the Southern States, as they throw off their connection with the Federal Government, should take an independent position in the contest, without that concert of action which alone can be secured by political unity, is a proposition which surely no one will assent to, who anticipates the dangers of the hour and the necessity of perfecting harmony in the work of our general defence.

Such a political Union with the people of the Confederate States is rendered essential, by the fact, that we have made no provision for arming, organizing, provisioning, and embodying our military forces, while the Government of the Confederate States, foreseeing this invasion, has had an eye to the necessities of the emergency, and stands prepared generously to lend us its assistance in this unprovoked and cruel struggle. If we accept that assistance, we should do it in a spirit of mutual trust and confidence, prepared to share its burdens equally, while we avail ourselves of its advantages. A Government thus perfectly organized can more thoroughly command the resources and aggregate the revenues of the country, than isolated States, fighting without unity, and moving without a common and responsible head. These resources, being thus concentrated, because it is natural intuition to rally round such a Government, in such an emergency, for self-preservation and defence, can be disbursed with more efficiency, and with less cost to the people, than when the revenues,

necessary to support the war, are scattered by divided counsels, and not controlled by a common bureau. The same may be said with regard to military operations. Unity of movement, to secure unity of purpose in attack or defence, is absolutely necessary to success. The people of the whole South, thus united by a firm political compact, moving under the direction of one Government, and animated by the sense of common perils and by a unanimous determination to maintain their rights, liberties, and institutions, are invincible, and must speedily conquer an honorable peace. The war must necessarily be protracted or brief in proportion to the union among themselves.

I, therefore, further recommend that you perfect an ordinance, with a view to our admission as a member of the Southern Confederacy, (which, it is evident, must soon embrace the entire slaveholding States of the South,) to be submitted in like manner, and at the same time, but separately, for adoption or rejection by the people; so that they may have the opportunity to approve the former and reject the latter, or adopt both, as in their wisdom may seem most consistent with the future welfare of the State. However fully satisfied the Executive and Legislature may be, as to the urgent necessity for the speedy adoption of both these propositions, it is our duty to furnish the amplest means for a fair and full expression of the popular will.

In the opening of a revolution, fraught with such consequences, and the close of which no one can foresee, it is a matter of the highest moment that we determine, as speedily as possible, our future political relations, delaying only long enough to reach the will and voice of the people. Under existing circumstances, I can see no propriety for encumbering the people of the State with the election of delegates, to do that which it is in your power to enable them to do directly for themselves. The most direct, as well as the highest act of sovereignty, according to our theory, is that by which the people vote, not merely for men, but for measures submitted for their approval or rejection. Since it is only the voice of the people that is to be heard, there is no reason why they may not as readily and effectively express themselves upon an ordinance framed and submitted to them by the Legislature, as if submitted to them by a Convention. The Southern States, all of whom are now engaged in resistance to the encroachment of Abolition power, will necessarily encounter embarrassments, arising from a want of unity of action, until such time as they shall all be united under a common Government.

The mode of action suggested, in addition to the advan-

tage of its being the speediest of all others, will be attended with less expense to the State, which is of far greater importance now than at any former period of our history, owing to the general embarrassment of the people, which must continue at least during these troubles, and to the heavy appropriations that you will have necessarily to make to defray the expense of our defences.

If, however, it should be deemed advisable that a Convention, representing the sovereignty of the people, should be called by the General Assembly, in preference to submitting an ordinance of independence directly to them, though I deem the latter measure more expedient, under the circumstances, I am not prepared to say that harmony and unanimity will not thus be effected. The Senators and Representatives, coming, as they do, directly from their constituents, are the best judges of this measure. It cannot be regarded other than a question of detail, inasmuch as a very large majority of the people regard themselves as being forever absolved from all obedience to a Government that has developed the coldest and most deliberate purpose to inaugurate a civil and sanguinary war among them.

I deem it proper to remark in this connection, that the Constitution of the Confederate States, while it retains all that is valuable of the Constitution of the former United States, is an improvement, in many essential points, upon that instrument, as conceded by those even who were unfriendly to the mode and manner in which it originated.

The only additional matter to which I shall call your attention—and first in importance—is the necessity of such legislation as will put the State upon a war footing immediately. I will not insult your intelligence or question your patriotism so far as to resort to argument to prove the necessity of this measure, but content myself by recommending the passage of a law regulating the raising and thorough organization of an efficient volunteer force for immediate service, in any emergency which may arise, and a thorough and perfect organization of the militia, so that in case of necessity the whole force of the State can be speedily brought into action.

In my message to your extra session in January last, I laid before you the report of the Keeper of Public Arms, showing the number, character, and condition of the arms of the State, to which I refer you for information on that subject. Since that report was made, I have ordered and received at the arsenal fourteen hundred rifle muskets. If upon this subject further or more accurate information is desired, it shall be laid before you by the report of the proper officer.

It requires no argument from me to prove the absolute necessity of an immediate appropriation of a sum sufficient to thoroughly arm and equip such military force as the State may probably need in the prospective difficulties which lie before us. In addition to which, I respectfully recommend that you appropriate a sum sufficient to provision and maintain such force as is intended for the field, and an ample contingent military fund, to be subject to the order and disbursement of a Military Board, under such restrictions as you may see proper to impose.

The establishment of a Military Board, to consist of at least three persons, and invested with power to make all needful rules and regulations for organization and maintenance, I regard as indispensably necessary to a perfect military organization and equipment in the State; and the fact that the Legislature cannot foresee and provide for the various contingent expenses necessarily incidental to a state of war, justifies and makes necessary the contingent military fund referred to.

I trust, gentlemen, that I have not so far mistaken your intelligence and patriotism, as to render it necessary that I should invoke you, in the name of all that is sacred and dear to us as a people—even the sanctity of our domestic firesides—to forget past differences, and whatever may tend in the least to distract your counsels in the present momentous crisis, in which we have been involved by the unprovoked and tyrannical usurpation of a people who, forgetting the lessons of their fathers, have overthrown the fairest government upon earth, in the mere wantonness of an unnatural sectional prejudice amounting to sectional hate, and a disregard of those great principles of justice and equality upon which the Federal Union was based. I trust that to-day there are in Tennessee no Whigs, no Democrats; but that we are one people—all patriots, all brothers, recognizing a common interest and a common destiny; and that we will stand as one man in defence of our honor and of our rights. I pray you to cultivate a feeling of this kind, and to disseminate it amongst your constituents. It is only by such united and determined action, on the part of the people of the whole South, that we can hope to avoid the calamities of the bloodiest and most devastating civil war that has afflicted any nation in the history of the civilized world.

I trust that a few days will be amply sufficient to dispose of the business which I have laid before you. Your presence may soon be needed in the field, and if not, will be required at home for counsel among your constituents.

Trusting that an All-Wise Providence may watch over

your deliberations, and direct you in the adoption of such measures as may most subserve the maintenance of the rights and liberties of the people, I submit the determination of these matters to your hands.

ISHAM G. HARRIS.

EXECUTIVE DEPARTMENT,  
Nashville, June 18, 1861. }

*Gentlemen of the Senate,  
and House of Representatives :*

Since your adjournment on the 9th of last month, the people of Tennessee, acting in their sovereign capacity, and in the exercise of an inalienable right, have, in the most solemn and deliberate manner dissolved their connection with the Government of the United States, and, by the adoption of the Provisional Constitution of the Confederate State of America, have made Tennessee a member of that Government.

I pause in the midst of the arduous duties which devolve upon me, to congratulate you and the country upon the near approach to unanimity, and the readiness with which the brave and patriotic people of our proud Commonwealth have severed their connection with a Government endeared to them by so many recollections, and to which they had been so long attached, but which had been subverted by gross usurpations and converted into an engine of oppression, destructive of their rights, liberties, and equality, and which in the mere wantonness of its boasted power, demands that these inalienable attributes of freemen shall be promptly, nay, basely surrendered, or maintained at the point of the bayonet.

Those who have read and comprehended the patriotic devotion of our people to the eternal principles of justice, equality, and right; their native love of independence, and their chivalrous deeds in defence of those principles, as shown by the whole history of the State, could not have doubted as to the position that Tennessee would occupy upon the presentation of such an issue.

While it is to me a source of regret that entire unanimity was not obtained at the ballot-box, in the decision of the vitally important and exciting questions referred to, I have entire confidence that now the deliberate and impartial judgment of the overwhelming majority of the people of the State having been recorded, the whole people, for-

getting these differences of opinion, however earnestly and honestly entertained, will stand together as one man in maintaining the rights, honor, and dignity of Tennessee, and in preserving the domestic tranquility of the community. The time for crimination and recrimination has passed; threatened by a common enemy, imperiled by a common danger, bound together by ties which cannot be severed, we are indetical in interest, we must be so in action.

The State of Tennessee, co-operating with her sister States of the South, has been compelled to take up arms in defence of rights she could not surrender. To this war thus forced upon us, there can be but two sides. I cannot believe that there is any portion of our people who will espouse the cause of the enemies of Tennessee, or be indifferent spectators of the contest.

Impartial history will attest that no free people, jealous of their rights, have been more observant of their constitutional duties, or more loyal to their Government. Exacting no peculiar privileges, they have at all times been ready to acknowledge and maintain the rights of others. In times of common peril, they have always stood firm, and contributed their full proportion of talent, both to the cabinet and the field; and now that we have exhausted the last remedy, have made the last appeal to the reason and justice of those who would oppress us, and have been driven to the necessity of taking our rights into our own hands, and defying the power that assails them, there certainly cannot be any part of our people who will not spurn the usurper, and resist him to the last extremity.

In the midst of the gloom and privations necessarily incidental to a state of war, let us console ourselves with the reflection that we occupy the same relation to posterity that our fathers of the first revolution occupied to us.

They enjoyed the glorious privilege of establishing the great principle which secured to us civil and religious liberty, and political equality; while it is our privilege and solemn duty to maintain and transmit to posterity the same great principle unimpaired.

The spirit and determination manifested by the people of the whole South, to maintain this principle against the tyranny of usurpation, gives the highest and most cheering assurance that America will still be the abiding-place of self-government and free institutions; and proves the truth of the long disputed theory of our fathers, that a brave and enlightened people, educated in the doctrine of individual and State equality, are capable, and of right ought, to govern themselves. In the midst of Federal revolution, perfect order has been preserved in our State



Government; in the moment of dissolving our former Federal fabric; another, new, and of perfect and enduring proportions, is reared, leaving us at no time without the full benefit of Government, or the security of laws.

The new relations which we have assumed, in becoming a part of the Provisional Government of the Confederate States, imposes the necessity of some additional legislation. I cheerfully submit to your consideration all questions pertaining to our Federal relations, for such legislation as may be necessary to us as a part of that Government.

There has been, for many years, a statute in the State defining the crime of treason, and prescribing the punishment.

I respectfully recommend that you amend that law, to the extent of striking out the words "*United States*," and insert, in lieu of them, *Confederate States*.

Under the provisions of the act of 1852, the principal and interest of the internal improvement bonds of the State are made payable in the city of New York. It will be impossible to pay the interest accruing, at that point, during the continuance of the war.

I recommend that you so amend the law referred to, as to require the payment at the Bank of Tennessee, at Nashville, or at Charleston or New Orleans, of all sums which may become due from the State to the people of all Governments which are on terms of peace and friendship with us, who are, and were previous to the commencement of the war, *bona fide* owners of our bonds; and that you adopt such policy towards the owners and holders of our bonds, who are citizens of States at war with us, as is recognized and justified by the law of nations regulating their intercourse as belligerents.

The ordeal through which the country is now passing necessarily prostrates the trade and commerce of the country, and deranges the currency to a greater or less extent. Such legislation as will tend to secure a uniform currency throughout the Confederate State is of the highest importance. I therefore submit the question to your consideration for such action as in your opinion the general welfare demands.

By the — section of the act of the 6th of May, 1861, it is made the duty of the Governor to issue bonds of the State, for the purpose of raising a fund with which to defray the expenses of the provisional army of the State. In view of the scarcity of a circulating medium, and the probable difficulty of converting any considerable amount of bonds into money in times like the present, I respect-

fully recommend that you so modify that act as to authorize the issuance of Treasury Notes to the extent of three-fifths of the amount authorized to be issued, in lieu of that amount of said bonds; and that the same, when issued, be made receivable by the State in payment of all taxes or government dues.

In obedience to your act of 6th May, 1861, I have caused to be organized, armed and equipped, twenty-one regiments of infantry now in the field, ten artillery companies in progress of organization, and a sufficient number of cavalry companies to compose one regiment. The organization of an engineer corps is nearly completed.

In addition to which, we have three regiments mustered into the service of the Confederate States, now in Virginia, and a number of our citizens in the service of that Government stationed at Pensacola. For full and accurate information as to the army organization, I refer you to the reports of the proper officers, hereafter to be laid before you, if desired. It is proper to remark, in this connection, that without even a call being made upon them, a much larger number of our patriotic citizens have tendered their services to the State than I have thought proper to accept. Should the necessities of the State at any time require a larger force, I feel assured that our brave and gallant people will rush with alacrity to the field, so as to swell the force to the point of equaling any such necessity.

I commend those brave and patriotic citizen soldiers to your most favorable consideration, and recommend the adoption of such measures as will most tend to promote their health and comfort while in the field.

It is proper that I call your attention to the fact that, a few days since, Return J. Meigs, Esq., resigned the office of Librarian to the State. The office is now vacant, and the duty of filling it by election devolves upon you.

I cannot, in justice to my own feelings and sense of duty, close this communication without urging upon you, and through you upon those you represent, the importance and propriety of moderation, forbearance, and conciliation in your intercourse with each other, however widely and earnestly you may have differed in your opinions and action upon the important and exciting questions so recently settled.

Invoking a continuation of the blessings of the Supreme Ruler of the universe upon our cause, our country, and our people, I submit the matter to your hands.

ISHAM G. HARRIS.

PUBLIC ACTS  
OF THE  
GENERAL ASSEMBLY  
OF THE  
STATE OF TENNESSEE.

PASSED AT THE EXTRA SESSION OF THE THIRTY-THIRD GENERAL ASSEMBLY, WHICH WAS BEGUN AND HELD AT NASHVILLE ON THURSDAY THE TWENTY-FIFTH DAY OF APRIL, IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SIXTY-ONE.

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CHAPTER 1.

AN ACT to submit to a vote of the people a Declaration of Independence, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That immediately after the passage of this act, the Governor of this State shall, by proclamation, direct the sheriffs of the several counties in this State to open and hold an election at the various voting precincts in their respective counties, on the 8th day of June, 1861; that said sheriffs, or in the absence of the sheriffs, the coroner of the county, shall immediately advertise the election contemplated by this act; that said sheriffs appoint a deputy to hold said election for each voting precinct, and that said deputy appoint three judges and two clerks for each precinct; and if no officer shall, from any cause, attend any voting precinct to open and hold said election, then any justice of the peace—or in the absence of a justice of the peace, any respectable *freeholder* may appoint an officer, judges and clerks to open and hold said election. Said officers, judges and clerks

shall be sworn as now required by law, and who, after being so sworn, shall open and hold an election, open and close at the time of day, and in the manner now required by law in elections for members to the General Assembly.

SEC. 2. *Be it further enacted*, That at said election the following Declaration shall be submitted to a vote of the qualified voters of the State of Tennessee, for their ratification or rejection :

**DECLARATION OF INDEPENDENCE AND ORDINANCE  
DISSOLVING THE FEDERAL RELATIONS BETWEEN  
THE STATE OF TENNESSEE AND THE UNITED  
STATES OF AMERICA.**

*First.* We, the people of the State of Tennessee, waiving any expression of opinion as to the abstract doctrine of secession, but asserting the right, as a free and independent people, to alter, reform, or abolish, our form of Government in such manner as we think proper, do ordain and declare that all the laws and ordinances by which the State of Tennessee became a member of the Federal Union of the United States of America, are hereby abrogated and annulled, and that all obligations on our part be withdrawn therefrom ; and we do hereby resume all the rights, functions, and powers, which by any of said laws and ordinances were conveyed to the Government of the United States, and absolve ourselves from all the obligations, restraints, and duties incurred thereto ; and do hereby henceforth become a free, sovereign and independent State.

*Second.* We furthermore declare and ordain that Article 10, sections 1 and 2 of the Constitution of the State of Tennessee, which requires members of the General Assembly, and all officers, civil and military, to take an oath to support the Constitution of the United States be, and the same are hereby abrogated and annulled ; and all parts of the Constitution of the State of Tennessee, making citizenship of the United States a qualification for office, and recognizing the Constitution of the United States as the supreme law of this State, are in like manner abrogated and annulled.

*Third.* We furthermore ordain and declare, that all rights acquired and vested under the Constitution of the United States, or under any act of Congress passed in pursuance thereof, or under any laws of this State, and not incompatible with this ordinance, shall remain in force, and have the same effect as if this ordinance had not been passed.

SEC. 3. *Be it further enacted*, That said election shall be by ballot; that those voting for the Declaration and Ordinance shall have written or printed on their ballots, "Separation," and those voting against it shall have written or printed on their ballots, "No Separation;" that the clerks holding said election shall keep regular scrolls of the voters as now required by law in the election of members to the General Assembly; that the clerks and judges shall certify the same, with the number of votes for "Separation," and the number of votes "No Separation." The officer holding the election shall return the same to the sheriff of the county, at the county seat, on the Monday next after the election. The sheriff shall immediately make out, certify, and send to the Governor the number of votes polled, and the number of votes for "Separation," and the number "No Separation," and file one of the original scrolls with the Clerk of the County Court; that upon comparing the vote by the Governor, in the office of the Secretary of State—which shall be at least by the 24th day of June, 1861, and may be sooner if the returns are all received by the Governor—if a majority of the votes polled shall be for "Separation," the Governor shall by his proclamation make it known, and declare all connection by the State of Tennessee with the Federal Union dissolved, and that Tennessee is a free, independent Government—free from all obligation to, or connection with the Federal Government. And that the Governor shall cause 'the vote by counties' to be published, the number for "Separation," and the number "No Separation," whether a majority votes for "Separation," or "No Separation."

SEC. 4. *Be it further enacted*, That in the election to be held under the provisions of this act; upon the Declaration submitted to the people, all volunteers and other persons connected with the service of this State, qualified to vote for members of the Legislature in the counties where they reside, shall be entitled to vote in any county in the State where they may be in active service, or under orders, or on parole, at the time of said election; and all other voters shall vote in the county where they reside, as now required by law in voting for members to the General Assembly.

SEC. 5. *Be it further enacted*, That at the same time, and under the rules and regulations prescribed for the election herein before ordered, the following ordinance shall be submitted to the popular vote, to-wit:

AN ORDINANCE FOR THE ADOPTION OF THE CONSTITUTION OF THE PROVISIONAL GOVERNMENT OF THE CONFEDERATE STATES OF AMERICA.

We, the people of Tennessee, solemnly impressed by the perils which surround us, do hereby adopt and ratify the Constitution of the Provisional Government of the Confederate States of America, ordained and established at Montgomery, Alabama, on the 8th day of February, 1861, to be in force during the existence thereof, or until such time as we may supersede it by the adoption of a permanent Constitution.

SEC. 6. *Be it further enacted*, That those in favor of the adoption of said Provisional Constitution, and thereby securing to Tennessee equal representation in the deliberations and councils of the Confederate States, shall have written or printed on their ballots the word "*Representation*;" those opposed, the words "*No Representation*."

SEC. 7. *Be it further enacted*, That in the event the people shall adopt the Constitution of the Provisional Government of the Confederate States, at the election herein ordered, it shall be the duty of the Governor, forthwith to issue writs of election for delegates to represent the State of Tennessee in the said Provisional Government; that the State shall be represented by as many delegates as it was entitled to members of Congress to the recent Congress of the United States of America, who shall be elected from the several Congressional Districts as now established by law, in the mode and manner now prescribed for the election of members of the Congress of the United States.

SEC. 8. *Be it further enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed May 6, 1861.

## CHAPTER 2.

## MESSAGE OF THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
Nashville May 7, 1861. }

*Gentlemen of the Senate*

*and House of Representatives.*

By virtue of the authority of your joint resolution, adopted on the 1st day of May inst., I appointed Gustavus A. Henry, of the county of Montgomery, Archibald O. W. Totton, of the county of Madison, and Washington Barrow, of the county of Davidson, "Commissioners on the part of Tennessee, to enter into a Military League with the authorities of the Confederate States, and with the authorities of such other slaveholding States as may wish to enter into it, having in view the protection and defence of the entire South against the war that is now being carried on against it."

The said Commissioners met the Hon. Henry W. Hilliard, the accredited representative of the Confederate States, at Nashville on this day, and have agreed upon and executed a Military League between the State of Tennessee and the Confederate States of America, subject, however, to the ratification of the two Governments; one of the duplicate originals of which I herewith transmit for your ratification or rejection. For many cogent and obvious reasons, unnecessary to be rehearsed to you, I respectfully recommend the ratification of this League at the earliest practicable moment.

Very respectfully,

ISHAM G. HARRIS.

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CONVENTION BETWEEN THE STATE OF TENNESSEE  
AND THE CONFEDERATE STATES OF AMERICA.

The State of Tennessee looking to a speedy admission into the Confederacy established by the Confederate States of America, in accordance with the Constitution for the Provisional Government of said States, enters into the following temporary Convention, Agreement and Military League, with the Confederate States, for the purpose of

meeting pressing exigencies affecting the common rights, interests, and safety of said States, and said Confederacy.

*First.* Until the said State shall become a member of said Confederacy according to the Constitution of both powers, the whole military force, and military operations, offensive and defensive of said State, in the impending conflict with the United States, shall be under the chief control and direction of the President of the Confederate States, upon the same basis, principles and footing, as if said State were now, and during the interval a member of said Confederacy, said force, together with that of the Confederate States, to be employed for the common defence.

*Second.* The State of Tennessee will, upon becoming a member of said Confederacy under the Permanent Constitution of said Confederate States, if the same shall occur, turn over to said Confederate States, all the public property acquired from the United States, on the same terms, and in the same manner as the other States of said Confederacy have done in like cases.

*Third.* Whatever expenditures of money, if any, the said State of Tennessee shall make before she becomes a member of said Confederacy, shall be met and provided for by the Confederate States.

This Convention entered into and agreed, in the city of Nashville, Tennessee, on the seventh day of May, A. D., 1861, by Henry W. Hilliard, the duly authorized commissioner, to act in the matter of the Confederate States, and Gustavus A. Henry, Archibald O. W. Totton, and Washington Barrow, commissioners duly authorized to act in like manner for the State of Tennessee—the whole subject to the approval and ratification of the proper authorities of both Governments respectively.

In testimony whereof, the parties aforesaid have herewith set their hands and seals, the day and year aforesaid, in duplicate originals.

HENRY W. HILLIARD, [SEAL.]

*Commissioner for the Confederate States of America.*

GUSTAVUS A. HENRY, [SEAL.]

A. O. W. TOTTON, [SEAL.]

WASHINGTON BARROW, [SEAL.]

*Commissioners on the part of Tennessee.*



## JOINT RESOLUTION RATIFYING THE LEAGUE.

WHEREAS, A military league, offensive and defensive, was formed on the 7th of May, 1861, by and between A. O. W. Totton, Gustavus A. Henry, and Washington Barrow, Commissioners on the part of the State of Tennessee, and H. W. Hilliard, Commissioner on the part of the Confederate States of America, subject to the confirmation of the two Governments;

*Be it therefore resolved by the General Assembly of the State of Tennessee,* That said league be in all respects ratified and confirmed, and the said General Assembly hereby pledges the faith and honor of the State of Tennessee to the faithful observance of the terms and conditions of said league.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 7, 1861.

## CHAPTER 3.

AN ACT to Raise, Organize and Equip a Provisional Force, and for other purposes:

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be the duty of the Governor of the State to raise, organize and equip a provisional force of volunteers, for the defence of the State, to consist of fifty-five thousand volunteers—twenty-five thousand of whom, or any less number which the wants of the service may demand, shall be fitted for the field at the earliest practicable moment, and the remainder of which shall be held in reserve, ready to march at short notice. And should it become necessary for the safety of the State, the Governor may call out the whole available military strength of the State.

Governor to raise  
55,000 volunteers  
—25,000 active  
service—30,000  
reserve.

SEC. 2. *Be it further enacted,* That in the performance of this duty, the Governor shall take charge of the military, direct the military defence of the State, organize the different arms, and with the concurrence of the Military and Financial Board, hereinafter provided for, control the

Governor and  
Board to control  
Military Fund,  
&c.

Military and Financial Board to be organized.

military fund, make contracts for arms, ordnance, ordnance stores, procure material for the construction of arms, employ artificers, organize one or more armories for the construction of arms, and do all other things necessary for the speedy and efficient organization of a force adequate for the public safety. And he shall organize a Military and Financial Board, to consist of three persons, of which he shall be, *ex officio*, President, and who shall discharge such duties as he may assign them in effecting the objects and purposes of this act, and appoint such number of clerks as may be necessary, under such rules and regulations as they may adopt.

Organization of forces for twelve months.

SEC. 3. *Be it further enacted*, That the force provided for by this act shall be organized into regiments, brigades, and divisions, the whole to be commanded by the senior Major-General, who shall immediately enter upon the duty of organizing the entire force for the field. The force authorized by this act shall be mustered into service for the period of twelve months, unless sooner discharged.

Staff officers and their rank.

SEC. 4. *Be it further enacted*, That the staff of said force shall consist of one Adjutant-General, one Inspector-General, one Paymaster-General, one Commissary-General, one Quartermaster-General, and one Surgeon-General, with such number of assistants of each as the wants of the service may require; and that the rank of Quartermaster-General, Inspector-General, Adjutant-General, and Commissary-General, shall be that of Colonel of Cavalry, and the rank of their assistants shall be that of Lieutenant-Colonel, Major of Infantry, and Captain of Cavalry; all of whom shall be appointed by the Governor, subject to the confirmation of the General Assembly in joint session.

Governor fills vacancies.

*Provided*, That the Governor may fill vacancies in said offices, occurring when the Legislature may not be in session; and the appointees shall at once enter upon the discharge of their duties, subject to the confirmation of the Legislature when thereafter in session. There shall likewise be appointed by the Governor, subject to like confirmation, one ordnance officer, with the rank of Colonel of Infantry, who shall take charge of the Ordnance Bureau of the State, direct the construction of arms, under the Governor and Military and Finance Board, receive or reject the same, certify the fulfillment of contracts, and have the general supervision of the armory of the State, with such assistants as the service may require—not exceeding three—who shall have the rank and pay of Captain of Infantry. The members of the Military and Financial Board shall be nominated by the Governor and confirmed by the General Assembly.

Ordnance Bureau.

SEC. 5. *Be it further enacted*, That there shall be organized by the Governor, a Medical Department, consisting of a Surgeon-General and two other Surgeons; the members of which Department shall be nominated by the Governor and confirmed by the General Assembly, who shall examine all applicants for Surgeon and Assistant Surgeon, and certify their qualifications to the Governor for commissions in said service; and which Department shall be subject to field service as other Surgeons of the army. And the said Department are hereby directed, other things being equal, to recommend from volunteer forces such Regimental Surgeons and assistants as the service may require.

Medical Department.

Volunteers preferred.

SEC. 6. *Be it further enacted*, That there shall be two Major-Generals, and such number of Brigadier-Generals as the proper and efficient command of said force may require, who shall be nominated by the Governor and confirmed by the General Assembly, with power to appoint their own staff; and a Chief of Engineers, with such assistants as the service may require, to be nominated and confirmed in the same manner.

Two Major-Generals, and other officers.

SEC. 7. *Be it further enacted*, That the senior Major-General shall immediately enter upon the duty of organizing the whole force for the field.

Senior Major-General to organize field force.

SEC. 8. *Be it further enacted*, That the Governor be authorized to determine the field of duty which the safety of the State may require, and direct said forces accordingly.

Governor determines field of duty.

SEC. 9. *Be it further enacted*, That for the purpose of carrying out the provisions of this act, the Governor of the State is hereby authorized to issue and dispose of five million dollars of the bonds of the State of Tennessee, similar in all respects to the bonds of the State heretofore issued, except that they shall not have more than ten years to run to maturity, and bear interest at the rate of eight per cent. per annum, payable semi-annually, at such point as may be therein designated; *Provided*, That three millions of said bonds shall be held as a contingent reserved fund, and not used unless in the opinion of the Governor, by and with the concurrence and advice of the Military and Financial Board, the exigencies of the service and the public safety imperatively demand it; and said bonds shall be in denominations of not less than one hundred, or greater than one thousand dollars.

Bonds to be issued to meet expenses.

SEC. 10. *Be it further enacted*, That the public faith and credit of the State is hereby pledged for the payment of the interest on said bonds and the final redemption of the same; and that an annual tax of *eight cents* on the

State pledged to pay interest and redeem bonds.

one hundred dollars on the property, and *one-half cent* upon the dollar on sales of merchandise, or invoice cost, whether bought in or out of the State of Tennessee, which said one-half of one per cent. is to be in lieu of the *Percent. of taxes -* one-fourth of one per cent. now levied, be assessed and set apart and held sacred for the payment of the interest on said bonds, and the creation of a sinking fund for their final redemption; *Provided*, That no more of said tax than is sufficient to pay the interest on said bonds shall be collected, until the expiration of two years from the issuance of the same, and that the whole amount of said sinking fund shall from time to time, as the same may accumulate, be used by the Governor in the purchase of said bonds; *Provided*, They can be had at a price not exceeding par rates.

*Sinking fund for State debt.*

SEC. 11. *Be it further enacted*, That banks and branches purchasing said bonds from the Governor, shall have the privilege of classing the bonds so purchased, in the classification of their assets, as specie funds; and that the banks of the State are hereby authorized to invest their means in said bonds; *Provided*, That the State shall have the right to pay said bonds so purchased and held by said banks in their own notes; and individuals owning said bonds, having purchased the same previously of the State, shall hold the same free from taxation, either State, county, or otherwise.

*Banks may class bonds as cash.*

*State may pay banks for bonds in their notes.*

SEC. 12. *Be it further enacted*, That in order to save expenses, so much of the act of the late extra session of the Legislature as requires the Supervisor to make monthly publications of bank movements, be, and the same is hereby repealed.

*Supervisor's reports omitted.*

SEC. 13. *Be it further enacted*, That when peace shall be restored to the country, or the present danger pass away, that the Governor of the State, or other rightful authority under which said force may be at the time acting, shall issue a proclamation declaring the fact, and shall thereafter discharge the forces raised under this act, and from and after which this act shall cease to be in force.

*Forces, when to be discharged.*

SEC. 14. *Be it further enacted*, That the County Courts of this State are empowered to assess and collect a tax on property and privileges in their respective counties, to provide a fund for the relief and support of families of volunteers whilst in actual service, when, from affliction or indigence, it may be necessary; *Provided*, That the said fund thus raised shall, in all cases, be expended for the benefit of the families of volunteers residing in the county where the same is raised; and the revenue collector, for collecting said tax, shall receive no compensation; and the

*County taxes for volunteers' families.*

*Fund applied in same county.*

same shall be paid by him, under order of the County Court, to the persons to whom the same may be appropriated.

SEC. 15. *Be it further enacted*, That the County Courts be authorized to issue county scrip, anticipating the tax necessary in effecting the objects of the preceding section.

County Courts  
may issue scrip.

SEC. 16. *Be it further enacted*, That the County Courts of this State are authorized and empowered to appoint and raise, semi-annually, a Home Guard of Minute Men, whose term of service shall be three months, in their respective limits, to consist of companies of not less than ten for each Civil District, whose officers, when elected by the companies respectively, shall be commissioned by the County Courts, and whose duty it shall be to procure a warrant from some justice of the peace, and arrest all suspected persons and bring them before the civil authorities for trial; to see that all slaves are disarmed; to prevent the assemblage of slaves in unusual numbers; to keep the slave population in proper subjection, and to see that peace and order is observed. The Home Guard of Minute Men shall be armed and equipped by each county at its own expense, and a tax may be assessed and collected for the purpose, as well as to compensate those engaged in this branch of duty, if, in their discretion, compensation should be made. The Home Guard shall assemble in their respective Districts, to take precautionary measures, at least once in each week, at the call of the commanding officer, and shall be momentarily ready for service at his call. Persons engaged in this branch of duty shall, upon failure to obey the call to duty by the commander, forfeit not less than one dollar nor more than five for each offence—to be collected in the name of the Chairman of the County Court, before any justice of the peace—to be applied by the County Court in defraying the expenses of this branch of the public service; unless such failure was the result of sickness or other good cause. A General Commander shall be appointed for each county by the several County Courts, whose duty it shall be, when necessary, to take charge of all the Home Guard Minute Men in his county, and direct their operations. And the County Court is authorized to issue county bonds or scrip, for the purpose of raising money immediately to meet the expenses contemplated by this section.

County Courts  
may appoint  
Minute Men.

To arrest suspi-  
cious persons, &c.

County equips  
Minute Men.

A General Com-  
mander for each  
county.

Volunteers' prop-  
erty exempt from  
execution.

SEC. 17. *Be it further enacted*, That the property of all volunteers raised under the provisions of this act shall be exempt from execution and other civil process whilst in actual service; but this section shall not apply to the Home Guards.

SEC. 18. *Be it further enacted*, That the Governor, in

Volunteers from  
other States ac-  
cepted.

raising the volunteers provided for in this act, shall have the discretion to accept into the service volunteer companies tendered from other States, and from the Confederate States, if, in his opinion, the exigencies of the service or the public safety requires it.

Regimental and  
company officers.

SEC. 19. *Be it further enacted*, That each Regiment of Infantry shall consist of one Colonel, one Lieutenant-Colonel, one Major, and ten companies; each company shall consist of one Captain, one First Lieutenant, two Second Lieutenants, four Sergeants, four Corporals, two Musicians, and not less than sixty-four nor more than ninety privates; and to each regiment there shall be attached one Adjutant, to be selected from the Lieutenants, and one Sergeant-Major, to be selected from the enlisted men of the regiment by the Colonel. The Regiment of Cavalry shall consist of one Colonel, one Lieutenant-Colonel, one Major, and ten companies, each of which shall consist of one Captain, one First Lieutenant, two Second Lieutenants four Sergeants, four Corporals, one Farrier, one Blacksmith, two Musicians, and sixty privates. There shall be one Adjutant and one Sergeant-Major, to be selected as aforesaid.

Regiments and  
companies elect  
officers.

SEC. 20. *Be it further enacted*, That each regiment shall elect its own Colonel, Lieutenant-Colonel, and Major, and that each company shall elect its Captain, its Lieutenants, Sergeants, and Corporals. Regimental Musicians shall be appointed by the Colonel, and the Company Musicians by the captains of companies. The Colonel shall appoint his staff from his command.

Pay of officers.

SEC. 21. *Be it further enacted*, That the pay of Major-General shall be three hundred dollars per month; of Brigadier-General, two hundred and fifty dollars per month. The Aid-de-Camp of a Major-General, in addition to his pay as Lieutenant, shall receive forty dollars per month, and the Aid-de-Camp of a Brigadier-General shall receive, in addition to his pay as Lieutenant, the sum of twenty-five dollars per month. The monthly pay of the officers of the Corps of Engineers shall be as follows: of the Colonel, two hundred and ten dollars; of a Major, one hundred and sixty-two dollars; of a Captain, one hundred and forty dollars; Lieutenants serving with a company of Sappers and Miners shall receive the pay of Cavalry officers of the same grade. The monthly pay of the Colonel of the Corps of Artillery shall be two hundred and ten dollars; of a Lieutenant-Colonel, one hundred and eighty-five dollars; of a Major, one hundred and fifty dollars; of a Captain, one hundred and thirty dollars; of a First Lieutenant, ninety dollars; of a Second Lieutenant, eighty

**Dollars**; and the Adjutant shall receive, in addition to his pay as Lieutenant, ten dollars per month. Officers of Artillery, serving in the Light Artillery, or performing ordnance duty, shall receive the same pay as officers of Cavalry of the same grade. The monthly pay of the Infantry shall be as follows: of a Colonel, one hundred and seventy-five dollars; of a Lieutenant-Colonel, one hundred and seventy dollars; of a Major, one hundred and fifty dollars; of a Captain, one hundred and thirty dollars; of a First Lieutenant, ninety dollars; of a Second Lieutenant, eighty dollars; the Adjutant, ten dollars per month in addition to his pay as Lieutenant. The monthly pay of the officers of Cavalry shall be as follows: of a Colonel, two hundred dollars; of a Lieutenant-Colonel, one hundred and seventy-five dollars; of a Major, one hundred and fifty-two dollars; of a Captain, one hundred and thirty dollars; of a First Lieutenant, ninety dollars; of a Second Lieutenant, eighty dollars; the Adjutant, ten dollars per month in addition to his pay as Lieutenant. The pay of the officers of the general staff, except those of the Medical Department, shall be the same as officers of the second grade.

The Surgeon-General shall receive an annual salary of twenty-five hundred dollars, which shall be in full of all pay and allowance. The pay per month of the Major-General's Staff, shall be the same as officers of the same rank in the infantry service. The monthly pay of Surgeon shall be the same as that of Major of Cavalry, and the pay of Assistant-Surgeon shall be the same as the pay of First Lieutenant of Cavalry; and the rank of Surgeon shall be that of Major of Cavalry, and that of Assistant Surgeon the same as of the First Lieutenant of Cavalry.

SEC. 22. *Be it further enacted*, That the pay of officers as herein established, shall be in full of all allowances, except forage for horses actually in service, and the necessary traveling expenses while traveling under orders; *Provided*, That officers shall not be entitled in any case to draw forage for a greater number of horses, according to grade, than as follows: The Major-General five, the Brigadier-General four, the Adjutant and Inspector-General, Quartermaster-General, Commissary-General, and the Colonel of Engineers, Artillery, Infantry, and Cavalry, three each. All Lieutenant-Colonels, and Majors, and Captains of the General's Staff, Engineer Corps, Light Artillery, and Cavalry, three each. Lieutenants serving in the Corps of Engineers, Lieutenants of Light Artillery, and of Cavalry, two each. No enlisted man in the service of the State shall be employed as a servant by any

Pay of Surgeons.

Pay except certain expenses.

Forage, &c., for horses.

Pay of enlisted men.

officer of the army. The monthly pay of the enlisted men of the army of the State, shall be as follows: That of a Sergeant or Master-Workman of the Engineer Corps, thirty dollars; that of a Corporal or Overseer, twenty dollars; Privates of the first class, or Artificers, seventeen dollars; and Privates of the second class, or Laborers and Musicians, thirteen dollars. The Sergeant-Major of Cavalry, twenty-one dollars; First Sergeants, twenty dollars; Sergeants, seventeen dollars; Corporals, Farriers and Blacksmiths, thirteen dollars; Musicians, thirteen dollars; and Privates, twelve dollars. Sergeant-Major of Artillery and Infantry, twenty-one dollars; First Sergeants, twenty dollars each; Sergeants, seventeen dollars; Corporals and Artificers, thirteen dollars; Musicians, twelve dollars, and Privates, eleven dollars each. The non-commissioned Officers, Artificers, Musicians, and Privates, serving in light batteries, shall receive the same pay as those of Cavalry.

Rations and yearly allowance of enlisted men.

SEC. 23. *Be it further enacted*, That each enlisted man of the army of the State shall receive one ration per day, and a yearly allowance of clothing; the quantity, and kind of each, to be established by regulation of the Military and Financial Board, to be approved by the Governor. Rations shall generally be issued in kind, unless under circumstances rendering a commutation necessary. The commutation value of the ration shall be fixed by regulation of the Military and Financial Board, to be appointed by the Governor.

Quartermaster's and Commissaries to give security.

SEC. 24. *Be it further enacted*, That all the officers in the Quartermaster's and Commissary Departments shall, previous to entering on the duties of their respective offices, give bonds with good and sufficient security, to the State of Tennessee, in such sum as the Military and Financial Board shall direct, fully to account for all monies and public property which they may receive. Neither the Quartermaster-General, the Commissary-General, nor any other, or either of their assistants, shall be concerned, directly or indirectly, in the purchase or sale of any articles intended for making a part of, or appertaining to public supplies, except for and on account of the State of Tennessee; nor shall they or either of them, take or apply to his or their own use, any gain or emolument for negotiating any business in their respective departments, other than what is or may be allowed by law.

Rules and Articles of War adopted.

The Rules and Articles of War established by the laws of the United States of America, for the government of the army, are hereby declared to be of force, except wherever the words "United States" occur, "State of Tennessee" shall be substituted therefor; and except that the Articles



of War, numbers sixty-one and sixty-two, are hereby abrogated, and the following substituted therefor :

ART. 61. Officers having brevets or commissions of a prior date to those of the corps in which they serve, will take place on courts-martial or of inquiry, and on boards detailed for military purposes, when composed of different corps, according to the ranks given them in their brevet or former commissions ; but in the regiment, corps or company to which such officers belong, they shall do duty and take the rank, both in courts and on boards, as aforesaid, which shall be composed of their own corps, according to the commission by which they are there mustered.

Rank of brevets or prior commissions.

ART. 62. If upon marches, guards, or in quarters, different corps shall happen to join or do duty together, the officer highest in rank, according to the commission by which he is mustered into the army, there on duty by orders from competent authority, shall command the whole, and give orders for what is needful for the service, unless otherwise directed by the Governor of the State, in orders of special assignment providing for the case.

Highest rank officer to command.

SEC. 25. *Be it further enacted*, That all mounted non-commissioned officers, privates, musicians, and artificers, shall be allowed forty cents per day for the use and risk of their horses ; and if any mounted volunteer shall not keep himself provided with a serviceable horse, such volunteer shall serve on foot. For horses killed in action, or that die from injuries received in the service, or for want of forage, volunteers shall be allowed compensation according to their appraised value at the date of mustering into service.

Allowance for use and loss of horses.

SEC. 26. *Be it further enacted*, That the Military Board shall procure for the service a supply of the army regulations of the United States, and provide by regulation a badge to designate the grade of officers in the service, and such flags and banners as may be necessary.

Duty of Military Board.

SEC. 27. *Be it further enacted*, That the pay of volunteers who have been enrolled for service before the passage of this act, if actually mustered into service, shall be counted from the time of their enrolment, and the commanding officer of artillery may appoint recruiting officers, to muster into service recruits to be assigned to companies afterwards, who shall receive pay and subsistence from time of enrolment.

Pay begins when enrolled.

SEC. 28. *Be it further enacted*, That any ten companies, with the requisite number of men, offering themselves in a body, shall be mustered into service as a regiment, and may immediately organize by electing their field officers, and be commissioned by the Governor. The seniori-

Ten companies constitute a regiment, and seniority of captains.

ty of Captain shall be fixed by the Brigadier-General regularly in command; *Provided*, That in all cases where regiments shall have previously organized and elected their officers, such organization and election may be treated by the Governor as good and valid.

Pay of Military Board.

SEC. 29. *Be it further enacted*, That each of the members of the Military and Financial Board shall receive compensation at the rate of fifteen hundred dollars per annum.

Officers of Artillery.

SEC. 30. *Be it further enacted*, That officers of artillery, from Colonel to Captain, inclusive, shall be nominated by the Governor, and confirmed by the General Assembly.

Judges may dismiss indictments.

SEC. 31. *Be it further enacted*, That all persons against whom indictments or presentments for misdemeanors may be pending, and who have enlisted under this act in the service of the State, the same may be dismissed in the discretion of the Judge before whom the same is pending, as well as forfeitures against the defendant and his securities.

Keeper of arms, \$1200 appropriated.

SEC. 32. *Be it further enacted*, That the keeper of the public arms be, and he is hereby directed to make suitable and proper arrangements for the convenience and protection of the Arsenal of the State; and that for the expenses incurred for such purposes, the sum of twelve hundred dollars is hereby appropriated, for which the Comptroller will issue his warrant upon the treasury, upon the certificate of such keeper, and approved of by the military board.

Corporate towns may borrow money, &c.

SEC. 33. *Be it further enacted*, That the municipal authorities of the incorporated towns in this State be authorized to borrow money by issuing the bonds of such corporation, or otherwise, for the military defence of such town; and in all cases where corporate authorities of said towns have already issued their bonds for the purpose aforesaid, the same is hereby declared legal and valid.

County Court may be called.

SEC. 34. *Be it further enacted*, That to enable the County Court to carry into effect, without delay, the provisions of the fourteenth, fifteenth and sixteenth sections of this act, the Chairman of the County Court is empowered to assemble, at any time, the members of the Quarterly Court, who, when assembled, shall have all the powers exercised by them at the regular quarterly sessions.

Military tax for towns.

SEC. 35. *Be it further enacted*, That the corporate authorities of towns and cities are hereby empowered and authorized to levy a military tax upon personal and real estate, not to exceed the one-half of one per cent., and on privileges, not greater than one-half the amount now paid to the State; such money to be raised shall be used for

military purposes, under the direction of the authority so levying and collecting the same.

SEC. 36. *Be it further enacted*, That it shall be the duty of the Inspector-General of the State, to be appointed under this act, and such assistants as the Governor may appoint, to muster into the service of the State of Tennessee, each company and regiment after the same are inspected, at such times and places as the Governor shall designate, and when said troops are so mustered into the service of the State, they shall be subject to all the rules and articles of war, as adopted by this act.

Duties of Inspector-General.

SEC. 37. *Be it further enacted*, That it shall be the duty of each Captain, upon being mustered into the service, to furnish a complete roll of the officers and men in his company to the Inspector-General, who shall file one copy of the same in the Adjutant-General's office, and one copy to be delivered to the Colonel of each regiment then formed; and it shall be the duty of the Adjutant-General to furnish blank forms to the Captains of companies.

Duties of Captains and Adjutants.

SEC. 38. *Be it further enacted*, That the Governor, by and with the consent of the Military and Financial Board or Bureau, shall be authorized to purchase and carry on any manufactory or manufactories of gunpowder, which may be deemed necessary for the use of the State, purchase or lease any interest in any lead, saltpetre, or other mines, and work the same for the use of the State; and may, also, in the name of the State, make contracts for the manufacture of fire arms, or any other munitions of war to be manufactured in the State, and make such advancements in payment for the same, as may be deemed advisable to insure the ready and speedy supply thereof for the use of the State; *Provided*, That when such contract is made or entered into, the individual or company making the same shall give bond and security for the repayment thereof, if the arms or other munitions of war for which such advancement may be made, shall not be furnished within the time agreed upon for the delivery, or shall not be of the character contracted for.

Governor to manufacture gunpowder and firearms.

Advance pay on manufacturing for State.

SEC. 39. *Be it further enacted*, That for the purpose of aiding in supplying the State with arms for the public defence, that the act of the 30th of January, 1861, incorporating the Memphis Arms Company, be, and the same is hereby confirmed, and the corporators declared to be entitled to exercise all the rights and privileges intended to be given by said act. *And it is further enacted*, That M. Clusky, John Overton, Robert C. Brinkley, Sam. Tate, M. J. Wicks, Robertson Top, Wm. R. Hunt, Fred. W. Smith, J. E. R. Ray, Moses White and Edm'd Munford, be added to the list of corporators.

Memphis Arms Company confirmed.

Governor and  
others to report  
to Legislature.

SEC. 40. *Be it further enacted*, That the Governor and all other authorities having charge of finances in the movement contemplated by this act, shall make full reports to the General Assembly of the State, of the amount expended, as well as the various purposes for which said expenditures may have been made.

SEC. 41. *Be it further enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed May 6, 1861.

#### CHAPTER 4.

AN ACT to amend an Act to Organize, Raise and Equip a Provisional Force, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the bonds issued, or to be issued, under the act passed May 6, 1861, entitled an act to raise, organize and equip a provisional force, and for other purposes, shall be exempt from taxation.

SEC. 2. That the State shall furnish to all companies of Cavalry mustered into, or to be mustered into the service, saddles, bridles, and other equipments necessary and usual in cavalry service.

SEC. 3. That the pay per month of the Staff of the Major-General and Brigadier-General, when appointed at large, shall be the same as if appointed from the line of Lieutenants.

SEC. 4. That the Commissaries of the army shall supply each officer with one ration per day, and shall also supply each servant of an officer with one ration per day, the value of the latter to be deducted from such officer's pay.

SEC. 5. That the cavalry service shall be organized into battalions, squadrons, and companies. That not more than six, nor less than five companies shall constitute a battalion, and that two companies shall constitute a squadron; that the field officers of a battalion shall be a Lieutenant-Colonel and Major, and that the staff of the Lieutenant-Colonel shall consist of an Adjutant-Major, to be chosen

from his command, with the rank and pay of a Lieutenant of cavalry.

SEC. 6. That the Governor be authorized and empowered to accept into the service, companies of rangers not connected with any battalion, and to consist of not less than sixty, nor more than ninety privates; and that they be subject to the same rules as the regular cavalry service as to pay, forage and horses; *Provided*, They furnish their own arms, and accept service upon such terms, conditions, and for such length of time as the Governor may prescribe. Rangers.

SEC. 7. That the Governor, in his discretion, may organize battalions, to consist of five companies of riflemen; *Provided*, Such companies procure for themselves good rifles, to be taken by the State at valuation or retained by the soldier at his election. Riflemen.

SEC. 8. That the Governor, or the Military and Financial Board, shall appoint such drill instructors as the wants of the service require; *Provided*, That not more than one drill instructor shall be appointed for each regiment; these appointments shall only be made upon the written application of one of the Major-General's, or the Brigadier-General in command of the regiment for which the appointment may be required; that the appointees shall only continue in office for such time as their services are indispensable for the public good; and it is made the duty of the Brigadier-General to give notice to the Military and Financial Board when the services of any appointee are no longer needed; the rank and pay of such regimental drill instructors shall be that of First Lieutenant of Infantry. Drill instructors.

SEC. 9. That the rank of Aids of Major-Generals shall be that of Colonel of Infantry, and the rank of Aids of Brigadier-Generals, shall be that of Major of Infantry. But nothing herein contained shall be construed to increase the pay of said aids. Aids DeCamp.

SEC. 10. That the pay per month of the Major-General's Staff, and the Staff of Generals of Brigades, when appointed at large, shall be the same as if appointed from the line of Lieutenants. Pay of Staff.

SEC. 11. That the rank and pay of Regimental Chaplains, elected according to the provisions of an act passed 6th May, 1861, shall be that of Second Lieutenants of Infantry, and be entitled to an officer's tent and forage for one horse. Chaplains.

SEC. 12. That the rank of Aids of Major-General's shall be the same as provided by law for Aids of Major-Generals of the Army of the Confederate States of America; and the rank of Aids of Brigadier-Generals shall be Aids DeCamp.

the same as provided by law for the Aids of Brigadier-Generals of the Confederate States of America. But nothing herein contained shall be construed to increase the pay over the amount provided in an act passed 6th May, 1861.

SEC. 13. That when bonds have been taken by competent authority, and submitted to the Military and Financial Board for approval, said Board shall be authorized and empowered to receive other proof than the oath of securities, as now required, and may act on the same, and if such outside proof of solvency be sufficient, may prove such bonds without the affidavits of securities to such official bonds.

Musicians.

SEC. 14. That there shall be appointed, in accordance with the act of May 6, 1861, ten Regimental Musicians, the chief to rank as Sergeant-Major, and the others, Regimental Musicians, to rank as Sergeants of Companies.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed June 27, 1861.

## CHAPTER 5.

AN ACT for the benefit of Insane Members of the Families of Volunteers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the wives or other members of the families of volunteers who are citizens of this State, and who have enlisted, or who may hereafter enlist in the service of the State, or of the Confederate States, who have been, or who may hereafter be placed in the Tennessee Asylum for the Insane, as pay patients, shall, during the time of their enlistment, or while such volunteers are in actual service, be supported by the State, upon the written certificate of the Chairman of the County Court from the county of residence of said volunteers, setting forth that he or they are unable, from indigent circumstances, to support such patient in the asylum.

SEC. 2. That any one of the Tennessee volunteers who may become deranged while in the service, and who has not the pecuniary means to enter the asylum as a pay patient, shall be received and treated as a pauper patient;

***Provided,*** That nothing herein contained shall be so construed as to cause any of the present patients of the asylum to be discharged, in order to give place to any of the above patients, as provided in this act.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed June 27, 1861.

## CHAPTER 6.

AN ACT to prevent the Collection of Debts owing by citizens of Tennessee to citizens of the non-slaveholding States, during hostilities.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That no person in any non-slaveholding State, their agents or attorneys in this State, shall have power to sue for or collect any monies owing to, or any property claimed by citizens of any such State, in the State of Tennessee, during hostilities between Tennessee and the Federal Government.

SEC. 2. *Be it further enacted,* That it may and shall be lawful for such debtors to pay such monies into the Treasury of the State, which sums shall be receipted for by the Treasurer, and shall be refunded with interest, upon the cessation of hostilities.

SEC. 3. *Be it further enacted,* That this act take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed May 8, 1861.

## CHAPTER 7.

AN ACT to amend the Railroad Law.

*Be it enacted by the General Assembly of the State of Tennessee*, That section 1101 of the Code, and acts amendatory thereto, be so amended as to make it discretionary with the Governor to appoint a Receiver as therein provided, or to permit the affairs of the several Railroads of this State to remain in the hands and under the management of the company owning the same, as the interest of the State may suggest.

*Provided, however*, That no lien of the State on the assets, property, and franchises of said company shall be affected thereby.

This act to take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed May 7, 1861.

## CHAPTER 8.

AN ACT to amend section 4743 of the Code of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sub-sections one, three, and four, of section four thousand seven hundred and forty-three, article one, chapter four, of the Code of Tennessee, be, and the same are hereby so amended that so much of the same as speaks of the United States, and defines offences against the United States as treason, is hereby repealed.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed May 8, 1861.



## CHAPTER 9.

**AN ACT** to amend the Militia Law of the State, requiring Captains to give notice, and for other purposes.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That section third of an act passed on the 31st of January, 1861, entitled an act to repeal the act of 1857, chapter 32, abolishing military duty, be so amended that all Captains of companies in this State are required to give at least ten days' notice to their companies, in three public places in their civil district, before any person required to perform military duty in said company shall be subject to be court-martialed or fined.

**SEC. 2.** *Be it enacted,* That volunteers in the service of the State, who may be on duty out of the State at the election ordered by the General Assembly on the Declaration and Ordinance on the 8th of June, 1861, shall be entitled to vote in all cases where, if in the State, they would be entitled to vote in said election, held to afford them the means of doing so, the Captain or officers in command of the company of such volunteers, is hereby appointed and empowered to open and hold the election for the voters of his company. The votes shall be by ballot, and the said Captain shall forthwith certify the result in writing to the Secretary of State, and the same shall be counted as a part of the vote of the State, in ascertaining the result. Before opening said election, the Colonel, or some other field officer of the regiments, respectively, shall administer an oath to the Captains entrusted with holding said election, to act impartially and faithfully, and report the result to the Secretary of State.

Volunteers allowed to vote.

**SEC. 3.** And this act shall take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*  
B. L. STOVALL,  
*Speaker of the Senate.*

Passed May 9, 1861.

## CHAPTER 10.

AN ACT to amend sections 2682, 2683, 2684, and 4765 of the Code, and for other purposes.

Insurrections.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 2638 of the Code of Tennessee be, and the same is hereby amended, to read as follows: On application of five credible persons, verified by their oath, and setting forth that they have cause to believe that a certain free white man, slave, or free negro, is engaged in, or advising, or aiding and abetting an insurrectionary movement, or where any slave or free negro has been guilty of feloniously killing any free white person, the judge in the circuit or district in which such defendant is, shall forthwith open a court, empanel a grand jury, and proceed regularly to the trial of such person by indictment or presentment, as at a regular term of the court.

SEC. 2. *Be it further enacted*, That the provision of the section hereinbefore amended, be, and the same is hereby extended to sections 2682, 2683, 2684, and also section 4765 of the Code of Tennessee, and that this act take effect from and after its passage.

Chaplains.

SEC. 3. *Be it further enacted*, That there may be attached to each regiment which now is, or may hereafter be in the service of the State, one chaplain, elected by the regiment, and shall be entitled to such compensation as is now allowed by the laws of the United States.

Army Act amended.

SEC. 4. *Be it further enacted*, That section 11 of the act to raise, organize and equip a provisional force, and for other purposes, passed May 6th, 1861, be so amended as to embrace the word banks after word individuals, in the last clause of said section.

W. C. WHITTHORNE,  
Speaker of the House of Representatives.  
B. L. STOVALL,  
Speaker of the Senate.

Passed May 9, 1861.

## CHAPTER 11.

AN ACT to repeal a part of section 96 of the Militia Law passed 28th of January, 1840.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of section ninety-six of Militia Law of Tennessee, passed the 28th day of January, 1840, prescribing an oath to support the Constitution of the United States be, and the same is hereby repealed.

SEC. 2. *Be it enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed May 6th, 1861.

## CHAPTER 12.

AN ACT relative to Insurance Companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That where any foreign insurance company, having an agency in this State, has deposited with the proper officer, bonds of the State of Tennessee, in pursuance of the statutes on that subject, the Comptroller of the Treasury is hereby authorized to pay the accruing interest on said bonds, upon the order of said agency, to any of the creditors of said companies respectively; *provided, always*, said creditors are *bona fide* residents of the State of Tennessee.

SEC. 2. *Be it further enacted*, That the Treasurer of the State may purchase a safe for the office of the Treasury Department of the State, and the Comptroller shall Treasurer. issue his warrant on the Treasury for the payment of the same.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 28, 1861.

## CHAPTER 18.

AN ACT to regulate proceedings in Magistrates Court.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Magistrates of this State shall not hold their Courts until the 1st day of January, 1862, for the trial of any civil causes, except such as the parties thereto may agree, but nothing herein contained shall prevent the issuance of attachments as heretofore.

SEC. 2. *Be it further enacted*, That all executions or other processes for money, issued by Justices of the Peace, shall be immediately returned (not satisfied) if the fact be so, and aliases issued, returnable on the 10th December, 1861, but this act shall not apply to executions issued from criminal proceedings.

SEC. 3. *Be it further enacted*, That a compliance with the provisions of this act shall release all constables and other returning officers from all liability not already incurred under previously existing laws for non-return, insufficient return, &c.

SEC. 4. *Be it further enacted*, That the remedy by motion against a sheriff, constable or coroner, is hereby abolished, but this section shall not effect the liability of those officers and their securities upon their bonds and the common law remedy on the same; *Provided*, that the benefits of this section shall not extend to officers in cases in which the money has been collected; *Provided further*, That nothing in this act shall be so construed as to prevent the Justices of the Peace from holding their monthly and quarterly courts.

SEC. 5. *Be it further enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed June 27, 1861.

## CHAPTER 14.

AN ACT to authorize the issuance of Treasury Notes and to Prescribe the Punishment for Forgery of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Governor of the State of Tennessee is hereby authorized to cause Treasury notes to be issued to the amount of three millions of dollars, in whole or part, in lieu of three millions of the bonds authorized to be issued by an act passed 6th May, 1861, to raise, organize and equip a provisional force, and for other purposes; if, in the opinion of the Governor and Military and Financial Board, it is deemed expedient, in such sum or sums as the exigencies of the public service may require; and if a denomination of not less than five dollars, nor more than five hundred dollars, for any such Treasury notes to be prepared, signed and issued as hereinafter provided for, to be redeemed at such time, and to bear such rate of interest, not to exceed six per cent. per annum, as the Governor and Military and Financial Board may deem proper; *Provided*, nothing in this act shall be construed to be an additional appropriation.

SEC. 2. *Be it further enacted*, That such Treasury notes shall be prepared under the direction of the State Treasurer, with appropriate devices, and shall be signed on behalf of the State of Tennessee by the Treasurer thereof, and countersigned by the Secretary of State; each of these officers shall keep in a book or books, provided for that purpose, separate, full and accurate accounts, showing the number, date and amount of each Treasury note signed and countersigned by them respectively, and also similar accounts, showing all such notes as may be paid, redeemed and cancelled as the same may be returned, all which accounts shall be carefully preserved in the Treasury Department, and the Treasurer shall report quarterly to the Governor for all such Treasury notes as shall have been countersigned by the Secretary of State, and delivered to the Treasurer for issue.

SEC. 3. *Be it further enacted*, That said Treasury notes shall be received by the proper officers in payment of all taxes, bonuses, &c., levied by the authorities of the State, and of debts due, or which may be due the State, of any character whatever, which may be due and payable at the time when said Treasury notes may be offered in payment thereof, and all such Treasury notes may be received on deposit or payment of debts by all the Banks of Tennessee, and paid

out at their counter the same as gold or bank paper, and for the final redemption of said Treasury notes, the faith of the State of Tennessee is hereby pledged.

SEC. 4. *Be it further enacted*, That in place of such Treasury notes as may have been paid and redeemed, other Treasury notes to the same amount may be issued; *Provided*, That the aggregate sum outstanding under the authority of this act, shall at no time exceed three millions of dollars.

SEC. 5. *Be it further enacted*, That if any person shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited any note or imitation of, or purporting to be a Treasury note issued as aforesaid, or shall falsely alter, or assist in falsely or fraudulently altering, or shall pass or attempt to pass, knowing the same to be counterfeit, or to be falsely or fraudulently altered, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned, and kept at hard labor in the Penitentiary of the State, not less than three years, nor more than ten years, and to be fined in a sum not exceeding five thousand dollars; this act to take effect from and after its passage.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed June 27, 1861.

## CHAPTER 15.

AN ACT to increase the Pay of First Sergeants.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 22 of an act passed May 6, 1861, entitled an act to raise, organize and equip a provisional force, and for other purposes, be so amended, that the First Sergeant receive fifty dollars per month.

SEC. 2. *Be it enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed June 27, 1861.

## CHAPTER 16.

AN ACT to amend the Act to Raise, Organize, and Equip a Provisional Force.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That upon the written application to the Brigadier-General in command, by any officer in the Commissary or Quartermaster's Department, asking for the appointment of a clerk or clerks, accompanied by facts and reasons in writing, showing the necessity of such appointment to enable the officer so applying to discharge the duties of his office, it shall be the duty of such Brigadier-General to consider of such application and determine as to the necessity of the appointment asked for; and if he shall determine in favor of the appointment, he shall notify the officer applying, of such decision, and thereupon the appointment shall be made by the officer asking the appointment; the pay and rank in all cases to be fixed by the Brigadier-General in command, and the appointee to hold his office only so long as he may be indispensable to the service; *provided*, that in the event any such officer shall not be under the command of a Brigadier-General, then the application shall be made to one of the Major-Generals, who shall pass upon the merits of the application; *provided, also*, that the provisions of this act shall not apply to Regimental Commissaries and Quartermasters.

Clerks to Commissary or Quartermaster's Department.

**SEC. 2.** *Be it further enacted,* That clerks appointed under this act shall be subject to removal for cause, at the pleasure of the officer appointing them.

**SEC. 3.** *Be it further enacted,* That the clerks appointed under the provisions of this act shall be entitled to draw one ration each per day.

**SEC. 4.** *Be it further enacted,* That the offer of clerkship shall in all cases be first tendered to the regiment or brigade, as the case may be, and that no appointment shall be made until the same shall have been declined by the respective regiments or brigades.

**SEC. 5.** *Be it further enacted,* That there shall be no action, either by motion or otherwise, against any officer or his securities, allowed in any court in this State, for failing to levy an execution which has heretofore or may hereafter come into their hands against volunteers; for not levying the same upon the property of such volunteers, his security, stayor, or accommodation endorser, that is exempt by the 17th section of an act passed the 6th day

Executions against volunteers suspended.

of May, 1861, to raise, organize, and equip a provisional force, &c.

SEC. 6. *Be it further enacted*, That this act shall take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed June 27, 1861.

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## CHAPTER 17.

AN ACT to suspend sections 272, 284, 285 and 296 of the Code of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sections 272, 284, 285 and 296 of the Code of Tennessee, be and the same are hereby suspended for twelve months.

SEC. 2. *Be it enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed June 28, 1861.

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## CHAPTER 18.

AN ACT to suspend the office of Commissioner of Roads.

*Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this act the office of Commissioner of Roads shall be suspended during the war, or until otherwise ordered by the General Assembly, and that said office be declared vacant.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed June 28, 1861.



## CHAPTER 19.

**AN ACT** to amend sections 14 and 16 of an Act passed May 6th, 1861, entitled *An Act to Raise, Organize, and Equip a Provisional Force, and for other purposes.*

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That section 16 of an act passed May 6th, 1861, entitled "An Act to Raise, Organize, and Equip a Provisional Force, and for other purposes," be so amended as to empower the County Courts to appoint and raise a Home Guard of Minute Men quarterly, instead of semi-annually; and that section 14 be so amended as to give County Courts power to provide relief for indigent widows who have minor sons in the service of the State.

**SEC. 2.** *Be it further enacted,* That section 14 of said act of May 6th, 1861, be so amended as to read as follows: That the County Courts of this State are empowered to assess and collect a tax on property and privileges in their respective counties, to provide a fund for the relief and support of the families of volunteers whilst in actual service, when from affliction or indigence it may be necessary, whether in service within, or whether beyond the limits of the State; *Provided,* that the said fund thus raised, shall, in all cases, be expended for the benefit of families of volunteers residing in the county where the same is raised; and the revenue collectors, for collecting said tax, shall receive no compensation; and the same shall be paid by him under order of the County Court, to the persons to whom the same may be appropriated.

**SEC. 3.** *Be it further enacted,* That all regimental appointments for Quartermaster and Commissaries hereafter to be made, shall be taken from those in the service of the regiment.

Regimental Commissaries and Quartermasters.

**SEC. 4.** *Be it further enacted,* That there shall be no drilling done on the Sabbath; *Provided,* the officer in command shall not deem it absolutely necessary to the service, and order the drill on Sunday.

No drill on the Sabbath

**SEC. 5.** *Be it further enacted,* That a private secretary shall be allowed the Governor, and that his salary shall be seven hundred and fifty dollars per annum.

Secretary to the Governor.

**W. C. WHITTHORNE,**

*Speaker of the House of Representatives.*

**B. L. STOVALL,**

*Speaker of the Senate.*

Passed June 25, 1861.

## CHAPTER 20.

AN ACT to extend the time for the Redemption of Real Estate.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all cases where real estate has been sold subject to redemption, and the time for the redemption shall not have expired, the debtor, or his *bona fide* creditor, shall have one other year to redeem said real estate, in addition to the time now allowed by law.

SEC. 2. *Be it further enacted*, That in all cases where real estate shall hereafter be sold subject to redemption, the debtor, or his *bona fide* creditors, shall have three years in which to redeem said real estate, in the manner now prescribed by law. This act to take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed June 28, 1861.

## CHAPTER 21.

AN ACT to repeal section 3965 of the Code and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the part of section 3965 of the Code of Tennessee, and all laws of this State requiring practicing attorneys at law to take an oath to support the Constitution of the United States is hereby repealed.

All laws requiring officers to take oath to support the Constitution of the U. S. repealed.

SEC. 2. *Be it further enacted*, That all parts and portions of the Code of Tennessee, and all laws of this State requiring members of the General Assembly of Tennessee, and other public officers of the State of Tennessee, or any county in this State, to swear to support the Constitution of the United States be, and the same is hereby repealed.

SEC. 3. *Be it further enacted*, That all laws of this State requiring as a qualification to hold office that a person shall be a citizen of the United States are hereby repealed.

SEC. 4. *Be it further enacted*, That all laws of this State, directing and authorizing an election to be held in

the State, for the purpose of electing members or Representatives to the House of Representatives of the United States of America be, and the same is hereby repealed.

The law requiring the election of members of Congress to United States repealed.

SEC. 5. *Be it further enacted*, That all military companies that have been formed for the purpose of drilling, and have elected their officers, shall be exempt from attending the militia musters of this State; *Provided*, such companies drill at least once a week, and tender their services to the Governor as part of the reserve corps, or to the county commanders of the Home Guards of Minute Men, and hold themselves in readiness at all times to assist the Home Guard of Minute Men in the discharge of their duties.

Home Guards.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed June 28, 1861.

## CHAPTER 22.

AN ACT to regulate the manner of paying the Officers and Soldiers of the Provisional Army of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the volunteers and officers in the Provisional Army of Tennessee shall be paid once every two months and that such portions of the laws as requires officers to be paid once a month be repealed, and that hereafter officers and privates shall be paid alike every two months.

SEC. 2. *Be it enacted*, That the Governor of the State be, and he is hereby authorized to muster into the service such number of the reserve corps as he may deem proper; that such force so mustered in, shall be armed as soon as it can be done, but shall not draw pay until ordered to leave their homes.

SEC. 3. *Be it further enacted*, That the Governor be, and he is hereby authorized to accept the services of companies of organized Minute Men, for a period of ninety days; *Provided*, said companies find their own arms.

Minute Men

SEC. 4. *Be it further enacted*, That the Commissary-

General shall appoint a Board of Survey, who shall report upon the per centage of waste in the removal, transportation, and delivery of commissary stores, which, by approval of said Commissary-General, and the Military and Financial Board, shall be the established regulation in regard thereto.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed June 29, 1861.

## CHAPTER 23.

### AN ACT to abate suits of Aliens.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That no suits, whether pending or hereafter brought, in behalf of or for the benefit of any citizen or citizens of either of the States of the late United States of America, except Kentucky, Missouri and Maryland, now adhering to the Government of which A. Lincoln claims to be President, shall be maintained in the courts of law or equity in this State.

SEC. 2. *Be it further enacted*, That all laws authorizing the appointment of administrators, or the probate of wills, and the qualification of executors on the estate of persons whose distributees, legatees or devisees, are citizens of said Northern States, are hereby repealed, and all such appointments heretofore made, are hereby declared void.

SEC. 3. *Be it further enacted*, That all suits brought, or to be brought, of the character mentioned in this act, shall be dismissed by the Chancellor or Judge upon motion.

SEC. 4. *Be it enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed July 1, 1861.

## CHAPTER 24.

AN ACT for the relief of Volunteers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this act, the Governor shall be, and he is hereby authorized, at his discretion, to receive into the military service of the State, all male free persons of color between the ages of fifteen (15) and fifty (50) years—or such number as may be necessary, who may be sound in his mind and body, and capable of actual service.

Free persons of color to be received into service.

SEC. 2. *Be it further enacted*, That all such free persons of color shall be required to do all such menial service for the relief of the volunteers as is incident to camp life, and necessary to the efficiency of the service, and of which they are capable of performing.

SEC. 3. *Be it further enacted*, That such free persons of color shall receive, each, eight dollars per month as pay, for such person shall be entitled to draw, each, one ration per day, and shall be entitled to a yearly allowance each for clothing.

Pay per month.

SEC. 4. *Be it further enacted*, That in order to carry out the provisions of this act, it shall be the duty of the sheriffs of the several counties in this State to collect accurate information as to the number and condition, with the names of free persons of color subject to the provisions of this act, being and situated within the limits of their respective counties, and shall, as soon as practicable, report the same in writing to the Governor.

Sheriff's duty.

SEC. 5. *Be it further enacted*, That a failure or refusal of the sheriffs, or any one or more of them, to perform the duties required by the fourth section of this act, shall be deemed an offence, and on conviction thereof, shall be punished for misdemeanor, at the discretion of the Judge of the Circuit or Criminal Courts having cognizance of the same.

SEC. 6. *Be it further enacted*, That it shall be the duty of officers in command to see that the class of persons who may enter the service under the provisions of this act, do not suffer from neglect or maltreatment.

SEC. 7. *Be it further enacted*, That in the event of a sufficient number of free persons of color to meet the wants of the State shall not tender their services, then the Governor is empowered, through the sheriffs of the different counties, to impress such persons until the required number is obtained; in doing so, he will have re-

Power to impress into service.

gard to the population of such persons in the several counties, and shall direct the sheriffs to determine by lot those that are required to serve.

SEC. 8. *Be it further enacted*, That the expenses incurred in this branch of the service shall be regarded as a part of the army expenses, and provided for accordingly.

Servant to mess

SEC. 9. *Be it further enacted*, That when any mess of volunteers shall keep a servant to wait on the members of the mess, each servant shall be allowed to draw one ration.

Adjutants to regiments.

SEC. 10. *Be it further enacted*, That the Adjutants of Regiments may be selected from the private soldiers in the line of the service, as well as from the officers in the service.

SEC. 11. *Be it further enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed June 28, 1861.

## CHAPTER 25.

AN ACT to authorize the Banks of Tennessee to receive and pay out the Treasury Notes of the Confederate States, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be lawful for the Banks of this State to receive and pay out the Treasury notes of the Confederate States of America, issued in pursuance of an act passed by the Provisional Government of said States on the —— day of May, 1861.

SEC. 2. *Be it further enacted*, That all officers of the State are authorized to accept said Treasury notes in payment of moneys due the State and the several counties thereof; and that they are authorized to receive in payment of moneys due the State and the several counties thereof, the circulation of the Banks of this State which conform to the Bank Code of Tennessee and the acts amendatory thereof.

SEC. 3. *Be it further enacted*, That the Banks of this State which are subject to the provisions of the Bank Code, (the Bank of Tennessee being included,) shall resume specie payment simultaneously; and it is hereby expressly

Declared that it shall not be lawful for one of the Banks to resume specie payment in advance of another.

SEC. 4. *Be it further enacted*, That the policy of the Banks of Tennessee in retiring and diminishing their circulation, is detrimental to the public interest; and that they be required to reverse their policy and increase their circulation, so as to answer the public want; *Provided, however*, That such increased circulation shall not exceed two dollars for one of paid capital stock.

Banks to increase their circulation.

SEC. 5. *Be it further enacted*, That so much of section 1 of an act passed on the 31st day of January, 1861, as fixes the time for the Banks therein named to resume specie payment by the 1st of July, 1862, be, and the same is hereby repealed.

SEC. 6. *Be it further enacted*, That it shall not be lawful for any Bank in this State, either directly or indirectly, to pay dividends due to stockholders who are citizens of the non-slaveholding States of the United States of America. This prohibition shall continue during the existence of the war which the Federal Government of said States of America is waging against the Confederate States of America, and if any officer of any Bank in this State, or the agent or attorney thereof, shall violate the provisions of this act, he shall be guilty of a misdemeanor, and on conviction, shall be imprisoned not less than twelve months, and fined not less than one thousand dollars. For the purposes of this section, the ownership shall be determined by the books of the Bank as they stood on the 15th day of April, 1861.

Dividends not to be paid.

SEC. 7. *Be it further enacted*, That it shall not be lawful to pay the interest on the bonds of the State of Tennessee, or other bonds upon which the State may be liable, if said bonds were held and owned on the 15th day of April, 1861, by citizens of the non-slaveholding States of the United States of America, or by any corporation of said States, the day named being the date of President Lincoln's proclamation calling for seventy-five thousand volunteers for the subjugation of the South; nor shall it be lawful to pay the principal, or any part thereof, of said bonds. This prohibition shall continue during the existence of the war which the United States of America are waging against the Confederate States of America; and at the close of the war, the debt, principal and interest, shall stand subject to adjustment and accommodation between the two Governments, upon such equitable basis as shall be in accordance with the usage and practice of civilized nations.

Interest on State bonds.

SEC. 8. *Be it further enacted*, That it shall not be law

Debts to non-res-  
idents.

ful for citizens or corporations of the State to pay debts which they may owe to corporations or citizens of the non-slaveholding States of the United States of America, during the war now in progress, and the payment of said debts shall stand for adjustment and accommodation at the close of the war, upon the principles stated in section 7 of this act; and it shall not be lawful for any person, by pretended assignment or otherwise, to represent himself as owner of any debts thus due, and in that manner evade the provisions of this act; and an assignment of any of said debts since the commencement of hostilities shall be *prima facie* evidence that it was done to evade this act. It is in like manner made illegal for any agent or attorney to pay over moneys which may now be collected, or which may hereafter be collected, for the citizens and corporations of said non-slaveholding States, and this prohibition shall continue during the war, and in no event shall the State of Tennessee become liable for debts of any individual debtor of the State, unless said debtor shall have paid the amount thereof into the Treasury of the State.

SEC. 9. *Be it further enacted*, That a violation of sections 7 and 8 of this act, shall subject the offending party, on conviction, to imprisonment at the discretion of the court, and to a fine equal in amount to the sum paid.

Assets of Banks  
not to be removed.

SEC. 10. *Be it further enacted*, That it shall not be lawful for any Bank, or the officer or agent thereof, to remove from this State the assets, or any of the assets of any Bank in this State, for the benefit of stockholders who may be citizens of the non-slaveholding States of the United States of America, and this prohibition shall continue during the existence of the war in progress. If any Bank officer shall, directly or indirectly, violate the provisions of this section, he shall be guilty of a felony, and on conviction, be sentenced to imprisonment in the State Penitentiary for a period of not less than five, nor more than ten years.

Interest  
bonds.

SEC. 11. *Be it further enacted*, That the interest on all bonds of the State, or upon which the State may be liable, held by the citizens or corporations of friendly powers, shall be paid at Nashville, Charleston or New Orleans, at the discretion of the Comptroller of the State; and it shall be the duty of the various railroad companies to pay the interest required of them into the hands of the Treasurer; *Provided*, Said bonds were *bona fide*, held and owned by such citizens and corporations on the 15th day of April, 1861, and that fact is made to appear to the satisfaction of the Comptroller of the State by the affidavit of the party demanding payment, and proof of the fact, if desired by the Comptroller, or



upon the establishment of the fact in such other manner as shall be satisfactory to said officer. The Comptroller shall advertise at which of said points the interest on said bonds will be met; *Provided further*, If any of said bonds shall be owned *bona fide* by a citizen of the Confederate States, and the same is held by a guardian or agent in the non-slaveholding States, the interest shall be paid as provided in this section; *Provided*, The same shall be paid to the owner of said bonds, or to a duly authorized agent, attorney or guardian, being a citizen of the Confederate States.

SEC. 12. *Be it further enacted*, That the four first words, "at their first meeting," of the seventh section, eleventh line, of an act passed February 27, 1856, chapter 210, be, and the same are hereby repealed.

SEC. 13. *Be it further enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed July 1, 1861.

## CHAPTER 26.

**AN ACT** to submit to the popular vote an Ordinance for the adoption or rejection of the Permanent Constitution of the Confederate States.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That at the next regular election in the State for Governor and members of the General Assembly, the following ordinance shall be submitted to the popular vote, to-wit: An Ordinance for the adoption of the Permanent Constitution of the Confederate States of America, by the State of Tennessee: We, the people of the State of Tennessee, in the exercise of our inalienable and indefeasible right to alter, reform, or abolish the government under which we live, *in such manner* as we may think proper, do ratify and adopt the Constitution of the Confederate States of America, prepared and submitted for ratification and adoption by the Provisional Con-

gress of the Confederate States, at Montgomery, Alabama on the 11th day of March, 1861, and do, by our sovereign will, ordain and constitute the State of Tennessee a member of the Government established by the said Constitution.

Ballot.

SEC. 2. *Be it further enacted*, That those in favor of the adoption of said Constitution shall have written or printed on their tickets the words, "For the Permanent Constitution;" those opposed to its adoption shall have written or printed on their tickets the words, "Against the Permanent Constitution."

Governor's duty.

SEC. 3. *Be it further enacted*, That if a majority of the votes shall be cast for the adoption of said Constitution, the Governor shall announce the fact by proclamation, and declare that the State of Tennessee, by virtue of the sovereign will of her people, has become a member of the Government of the Confederate States, established by the Permanent Constitution thereof; and if the majority of the votes cast shall be opposed, then he shall in like manner announce the result.

Sheriffs' duty.

SEC. 4. *Be it enacted*, That the said election shall be advertised by the sheriffs of the several counties of the State, for the same period that they advertise the election for Governor and members of the General Assembly, and said election shall be held at the same places, and opened and closed at the same time with election for Governor and members of the General Assembly.

Qualification of voters.

SEC. 5. *Be it further enacted*, That all persons entitled to vote for Governor and members of the General Assembly, shall be qualified to vote in said election, and that all volunteers in actual service, and officers of the army, may vote in any county in the State where the service may require them to be at that time; *Provided*, that if in their proper counties they would be entitled to vote.

Volunteers.

SEC. 6. *Be it further enacted*, That all volunteers in actual service out of the limits of the State, on the day of election, but who, if in their proper counties, would be entitled to vote, shall be entitled to vote in said election, and to provide them the means of voting, it is made the duty of the Captains of the companies to which they may belong, on the day of the election, to open and hold an election for them. They shall vote by ballot, and the result shall be returned in writing to the Secretary of State, and constitute part of the vote of the State; but before opening said election, each Captain shall be sworn by the Colonel or Lieutenant Colonel of his regiment, to act impartially, and to receive no illegal votes.

SEC. 7. *Be it further enacted*, That the sheriffs of the several counties shall certify the result of said election to

the Secretary of State, in the same manner he certifies the election for Governor and members of the General Assembly.

SEC. 8. *Be it further enacted*, That in the event any sheriff shall refuse to hold the election herein ordered, then the same may be opened and held by any constable or justice of the peace thereof; and if no constable or justice of the peace will hold the same, then any qualified voter may open and hold the same.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed June 28, 1861.

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## CHAPTER 27.

AN ACT to defray the Expenses of the General Assembly in 1861.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury issue his warrant to each member of the Senate and House of Representatives for the sum stated to be due to each in the annexed report of the Committee on Finance.

SEC. 2. *Be it further enacted*, That the Comptroller issue his warrant to the officers of the Senate and House of Representatives, viz: To John McClarin for ninety dollars, as Principal Clerk of the Senate; to Franc. M. Paul for ninety dollars, as Assistant Clerk of the Senate; to J. E. Bennett for sixteen dollars, as Principal Doorkeeper of the Senate; to R. S. Bugg for sixty dollars, as Messenger of the Senate; to Fred. S. DeWolfe for ninety dollars, as Principal Clerk of the House of Representatives; to John A. Campbell for ninety dollars, as Engrossing Clerk of the House of Representatives; to John E. Helms for ninety dollars, as third Clerk of the House of Representatives; to Miles Brantley for sixty dollars, as Principal Doorkeeper of the House of Representatives; to F. P. Wade for sixty dollars, as Assistant Doorkeeper of the House of Representatives.

SEC. 3. *Be it further enacted*, That the Comptroller shall issue his warrant to B. L. Stovall, Speaker of the

Senate, for thirty dollars, for services of boy Buck for attending in the Senate.

SEC. 4. *Be it further enacted*, That the Comptroller issue his warrant to W. C. Whitthorne, Speaker of the House of Representatives, for forty dollars, for the services of the boy George, for attending upon the House of Representatives.

SEC. 5. *Be it further enacted*, That the Principal Clerk of the Senate shall remain a sufficient time after the adjournment, to file the papers of the Senate in the office of the Secretary of State, and close his business, for which he shall be allowed his *per diem*, and that the said Clerk be allowed thirty cents per page for copying the unfinished Journal, and that the Comptroller issue his warrant for the same.

SEC. 6. *Be it further enacted*, That Fred. S. DeWolfe, Principal Clerk of the House of Representatives, shall remain a sufficient length of time after the adjournment, to file the papers of the House of Representatives in the office of the Secretary of State, and close his business, for which he shall be allowed his *per diem*; and that the said Clerk be allowed thirty cents per page for copying the unfinished Journal, and that the Comptroller issue his warrant for the same.

SEC. 7. *Be it further enacted*, That the Comptroller issue his warrant, and pay the several publishers of the city papers furnished the General Assembly, and laid upon the table of each member every day of the session, at the current subscription price of the same, at the expense of the State.

SEC. 8. *Be it further enacted*, That the Secretary of State cause one copy of the Acts and Journals of the present extra session of the General Assembly to be bound for each member of both Houses, and the officers of the same, and distributed with the other Acts and Journals.

SEC. 9. *Be it further enacted*, That the Comptroller issue his warrant to the Principal Clerk of the Senate, and to Fred. S. DeWolf, Principal Clerk of the House of Representatives, for fifty dollars, for preparing an index to the Senate Journal and House Journal of the present session of the General Assembly.

SEC. 10. *Be it further enacted*, That the Comptroller of the Treasury examine the accounts of Messrs. Eastman & Co., for the job printing executed for the General Assembly, and pay the same according to the rate specified by law, out of any money in the Treasury not otherwise appropriated.

SEC. 11. *Be it further enacted*, That the Comptroller

issue his warrant to F. Hagen for sixty-nine dollars and ninety cents, for stationery furnished the General Assembly.

*Report of the Committee on Finance, showing the mileage and per diem allowance of the members of the Senate and House of Representatives at the second extraordinary session of the thirty-third General Assembly, and the aggregate amount of each.*

SENATORS' NAMES.	Days.	Per diem.	Miles.	Mileage.	Total.
V. S. Allen.....	15	\$60	212	\$33 92	\$93 92
J. S. Boyd.....	15	60	400	64 00	124 00
W. M. Bradford.....	15	60	464	74 28	134 28
R. W. Bumpass.....	15	60	440	70 40	130 40
R. T. Hildreth.....	15	60	250	40 00	100 00
Judson Horn.....	15	60	200	32 00	92 00
H. W. Hunter... ..	15	60	224	35 84	95 84
James M. Johnson.....	15	60	119	19 04	97 04
James T. Lane.....	15	60	400	64 00	124 00
J. A. Minnis... ..	15	60	300	48 00	108 00
G. R. McClellan.....	15	60	750	120 00	180 00
Thomas McNeilly.....	15	60	76	12 16	72 16
R. G. Payne.....	15	60	628	100 48	160 48
W. V. Nash.....	15	60	460	73 60	133 60
G. B. Peters.....	15	60	540	86 40	146 40
John W. Richardson...	15	60	46	7 36	67 36
S. S. Stanton.....	15	60	150	24 00	84 00
Jordan Stokes.....	15	60	60	9 60	69 60
D. V. Stokely.....	15	60	500	80 00	140 00
J. E. Mickley... ..	15	60	136	21 76	81 76
B. L. Stovall, Speaker...	15	60	300	48 00	138 00
Jas. L. Thompson.....	15	60	100	16 00	76 00
John Trimble.....	15	60	.....	.....	60 00
E. J. Wood.....	15	60	200	32 00	92 00
T. W. Newman, Sp'er...	15	60	170	27 20	99 20

REPRESENTATIVES' NAMES.	Days.	Per diem.	Miles	Mileage.	Total.
R. H. Armstrong.....	15	\$60	40	\$64 00	\$124 00
W. N. Baker.....	15	60	200	32 00	92 00
Samuel Baker.....	15	60	280	44 80	104 80
W. H. Barksdale.....	15	60	85	13 60	73 60
W. M. Bayless.....	15	60	720	115 20	175 20
S. T. Bicknell.....	15	60	520	83 20	143 20
R. H. Bledsoe.....	15	60	250	40 00	100 00
— Bennett .....	15	60	85	13 60	73 60
Wm. Brazelton.....	15	60	450	72 00	132 00
James Britton.....	15	60	672	107 52	167 52
B. R. Butler.....	15	60	820	131 20	191 20
Alfred Caldwell.....	15	60	410	65 60	125 60
H. N. Cowden.....	15	60	150	24 00	84 00
R. B. Cheatham .....	15	60	.....	.....	60 00
Phil. Critz.....	15	60	625	100 00	164 00
J. W. Davidson.....	15	60	172	27 52	87 52
John R. Davis.....	15	60	50	8 00	68 00
W. R. Doak.....	15	60	84	13 44	73 44
N. B. Dudley.....	15	60	100	16 00	76 00
E. H. East.....	15	60	.....	.....	60 00
Wm. Ewing.....	15	60	36	5 76	65 76
W. T. Farley.....	15	60	520	88 82	148 32
Jno. Pat. Farrelly.....	15	60	628	100 48	160 48
J. J. Ford.....	15	60	100	16 00	76 00
C. Frazier.....	15	60	220	35 20	95 20
George Gantt.....	15	60	84	13 44	73 44
J. W. Gillespie.....	15	60	388	62 08	122 08
T. S. Gorman.....	15	60	500	80 00	140 00
A. L. Greene.....	15	60	326	52 16	112 16
W. W. Guy.....	15	60	376	60 16	120 16
R. R. Harris.....	15	60	300	48 00	108 00
J. S. Havron.....	15	60	260	41 60	101 60
G. V. Hebb.....	15	60	180	28 80	88 80
R. B. Hurt.....	15	60	350	56 00	116 00
R. M. Ingram.....	15	60	400	64 00	124 00
W. E. B. Jones.....	15	60	325	52 00	112 00
Robert Johnson.....	15	60	550	88 00	148 00
W. R. Kenner.....	15	60	400	64 00	124 00
Tho. J. Kennedy.....	15	60	125	20 00	80 00
Alvin Kincaid.....	15	60	600	96 00	156 00
Jno. W. Kincaid.....	15	60	610	97 60	157 60
B. J. Lea.....	15	60	440	70 40	130 40
H. C. Lockhart.....	15	60	180	28 80	88 80

REPRESENTATIVES' NAMES.	Days.	Per diem.	Miles.	Mileage.	Total.
Wm. L. Martin, Spk'r <i>pro tem.</i> .....	15	\$60	62	\$9 92	\$69 92
P. B. Mayfield.....	15	60	330	52 50	112 50
Jno. G. McCabe.....	15	60	110	17 60	77 60
Jonathan Morris.....	15	60	212	33 92	93 92
J. L. Morphis.....	15	60	300	48 00	108 00
R. C. Nall.....	15	60	350	56 00	116 00
John Norman.....	15	60	212	33 92	93 92
Jos. G. Pickett.....	15	60	100	16 00	76 00
James D. Porter.....	15	60	220	35 00	95 00
Steth Richardson.....	15	60	400	64 00	124 00
D. W. C. Senter.....	15	60	475	76 00	136 00
D. A. Roberts.....	15	60	250	40 00	100 00
W. M. Russell.....	15	60	150	24 00	84 00
J. M. Sheid.....	15	60	180	28 00	88 00
A. G. Shrewsbury.....	15	60	250	40 00	100 00
John Smith.....	15	60	160	25 60	85 60
J. M. Sowell.....	15	60	160	24 00	84 00
J. F. Trevitt.....	15	60	750	120 00	180 00
A. J. Vaughn.....	15	60	875	60 00	120 00
J. B. White.....	15	60	.....	.....	60 00
C. H. Whitmore.....	15	60	576	92 16	152 16
Mat. Williams.....	15	60	182	29 12	89 12
J. J. Williams.....	15	60	110	17 60	77 60
John Williams.....	15	60	400	64 00	124 00
Jno. L. Williamson.....	15	60	350	56 00	116 00
W. H. Wisener.....	15	60	126	20 16	80 16
John Woods.....	15	60	64	10 24	70 24
John Woodward.....	15	60	50	8 00	68 00
W. C. Whitthorne.....	15	60	84	13 44	73 44

SEC. 12. *Be it further enacted*, That the Comptroller issue his warrant to Patrick McCue for five dollars, for attending the water closets.

SEC. 13. *Be it further enacted*, That the Comptroller issue his warrant to F. Cook for three dollars, for sulphur water furnished the General Assembly.

SEC. 14. *Be it further enacted*, That the Comptroller issue his warrant to W. T. Garrett for nine dollars and sixty cents, for ice furnished the General Assembly.

SEC. 15. *Be it further enacted*, That the Comptroller issue his warrant to A. H. Hicks for twelve dollars, for articles furnished for the use of the General Assembly.

SEC. 16. *Be it further enacted*, That the Comptroller

issue his warrant to John D. Swan for forty dollars, for eleven days service as Doorkeeper of the Senate.

SEC. 11. *Be it further enacted*, That the Treasurer of the State pay out of the Treasury to the Adjutant General of Militia, an annual salary, equal to the pay allowed by an act passed 6th May, 1861, to a Brigadier General, for the time said Adjutant General is in actual service, or is actually engaged by order of the Governor as said Adjutant General, the said annual salary to be paid quarterly.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed May 9, 1861.

## CHAPTER 28.

AN ACT to defray the Expenses of the General Assembly of the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury issue his warrant to each member of the Senate and House of Representatives for the sum stated to be due each in the annexed report of the Committee on Finance.

SEC. 2. *Be it further enacted*, That the Comptroller issue his warrant to the officers of the Senate and House of Representatives, viz: To John McClarin for ninety dollars, for fifteen days' service as Principal Clerk of the Senate; to Franc. M. Paul for ninety dollars, for fifteen days' service as Assistant Clerk; to John D. Swan for sixty dollars, for fifteen days' service as Principal Doorkeeper of the Senate; to R. S. Bugg for sixty dollars, for fifteen days' service as Messenger of the Senate; to Fred. S. DeWolfe for ninety dollars, for fifteen days' service as Principal Clerk of the House of Representatives; to Natt. Atkinson for ninety dollars, for fifteen days' service as Engrossing Clerk of the House of Representatives; to Chas. M. Hays for ninety dollars, for fifteen days' service as Third Clerk of the House of Representatives; to M. Brandley for twenty-eight dollars, for seven days' service as Principal Doorkeeper of the House of Representatives; to F. P. Wade for sixty dollars, for fifteen days' service as Assistant Doorkeeper of the House of Representatives.



SEC. 3. *Be it further enacted*, That the Comptroller shall issue his warrant to B. L. Stovall, Speaker of the Senate, for thirty dollars, for services of boy Buck, for attending in the Senate.

SEC. 4. *Be it further enacted*, That the Comptroller of the Treasury shall issue his warrant to W. C. Whitthorne, Speaker of the House of Representatives, for the sum of thirty dollars, for services of boy George, for attending in the House of Representatives.

SEC. 5. *Be it further enacted*, That the Principal Clerk of the Senate shall remain a sufficient time after the adjournment to file the papers of the Senate in the office of the Secretary of State, and close his business, for which he shall be allowed his per diem; and that the said Clerk be allowed thirty cents per page for copying the unfinished Journal, and that the Comptroller issue his warrant for the same.

SEC. 6. *Be it further enacted*, That Fred. S. DeWolfe, Principal Clerk of the House of Representatives, shall remain a sufficient time after the adjournment to file the papers of the House of Representatives in the office of the Secretary of State, and close his business, for which he shall be allowed his per diem; and that the said Clerk shall be allowed thirty cents per page for copying the unfinished Journal, and the Comptroller shall issue his warrant for the same.

SEC. 7. *Be it further enacted*, That the Comptroller issue his warrant and pay the several publishers of the city papers for the papers furnished the General Assembly, and laid upon the table of each member every day of the session, at the current subscription price of the same, at the expense of the State.

SEC. 8. *Be it further enacted*, That the Secretary of State cause one copy of the Acts and Journals of the present extra session of the General Assembly to be bound for each member of both Houses, and the officers of the same, and distributed with the other Acts and Journals.

SEC. 9. *Be it further enacted*, That the Comptroller of the Treasury examine the accounts of Messrs. Eastman & Co., for job printing executed for the General Assembly, and pay the same according to the rate specified by law, out of any money in the Treasury not otherwise appropriated.

SEC. 10. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to J. York & Co. for forty-two dollars, for stationery furnished this General Assembly.

SEC. 11. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to W. C. Whitthorne, Speaker of the House, for two dollars, for services of George for washing towels.

SEC. 12. *Be it further enacted*, That the Comptroller issue his warrant to J. E. R. Ray for nineteen dollars and fifteen cents, for preparing a flag for the capitol.

SEC. 13. *Be it further enacted*, That the Principal Clerk of the Senate be allowed thirty dollars for indexing the Journal for the latter part of this session, and that the Clerk of the House be allowed thirty dollars for indexing the Journal for the latter part of this session, and that the Comptroller issue his warrant for the same.

SEC. 14. *Be it further enacted*, That the Comptroller issue his warrant to Patrick McCue for five dollars, for attention to water closet.

*Report of the Committee on Finance, showing the expenses of travel to and from the capital, and per diem of the members of the Senate and House of Representatives for the remainder of the second extraordinary session of the thirty-third General Assembly, and the aggregate amount of each.*

SENATORS' NAMES.	Days.	Per Diem.	Mileage.	Total.
V. S. Allen.....	15	\$60	\$21 00	\$81 00
J. S. Boyd.....	15	60	22 00	82 00
W. M. Bradford.....	15	60	40 00	100 00
R. W. Bumpass.....	14	56	20 00	76 00
R. T. Hildreth.....	15	60	20 00	80 00
Judson Horn.....	15	60	18 00	78 00
H. W. Hunter.....	15	60	20 00	80 00
J. M. Johnson.....	15	60	7 00	67 00
J. T. Lane.....	15	60	30 00	90 00
J. E. Mickley.....	15	60	14 00	74 00
J. A. Minnis.....	15	60	15 00	75 00
G. R. McClellan.....	15	60	25 00	85 00
Thos. McNeilly.....	15	60	8 00	68 00
M. V. Nash.....	5	20	30 00	50 00
R. G. Payne.....	15	60	30 00	90 00
G. B. Peters.....	15	60	30 00	90 00
G. W. Richardson.....	15	60	.....	60 00
S. S. Stanton.....	15	60	14 00	74 00

SENATORS' NAMES.	Days.	Per Diem.	Mileage.	Total.
Jordan Stokes.....	15	60	.....	60 00
D. V. Stokely.....	15	60	40 00	100 00
B. L. Stovall, Speaker.....	15	90	15 00	105 00
J. L. Thompson.....	15	60	.....	60 00
Washington Barrow.....	15	60	.....	60 00
E. J. Wood.....	15	60	20 00	80 00
T. W. Newman.....	15	60	25 00	85 00

REPRESENTATIVES' NAMES.	Days.	Per Diem.	Mileage.	Total.
R. H. Armstrong.....	9	86	25 00	61 00
W. N. Baker.....	15	60	20 00	80 00
Sam. Baker.....	15	60	19 00	79 00
W. H. Barksdale.....	15	60	4 50	64 50
W. M. Bayless.....	15	60	40 00	100 00
J. J. Beatty.....	.....	.....	.....	.....
R. H. Bennett.....	15	60	25 00	62 50
S. T. Bicknell.....	.....	.....	.....	.....
R. A. Bledsoe.....	15	60	20 00	80 00
Wm. Brazelton.....	.....	.....	.....	.....
James Britton.....	.....	.....	.....	.....
R. B. Butler.....	10	40	47 00	87 00
Alfred Caldwell.....	15	60	19 00	79 00
R. B. Cheatham.....	15	60	.....	60 00
H. N. Cowden.....	15	60	8 00	68 00
Phil. Critz.....	18	82	84 00	66 00
J. W. Davidson.....	15	60	20 00	80 00
J. R. Davis.....	15	60	8 00	63 00
W. R. Doak.....	.....	.....	.....	.....
N. B. Dudley.....	15	60	.....	60 00
Ira P. Jones.....	15	60	.....	60 00
Wm. Ewing.....	15	60	2 00	62 00
W. T. Farley.....	15	60	25 00	85 00
John Pat. Farrelly.....	15	60	25 00	85 00
J. J. Ford.....	18	52	7 00	59 00
C. Frazier.....	15	60	12 00	72 00
George Gantt.....	15	60	8 70	63 70
J. W. Gillespie.....	15	60	26 00	86 00
T. S. Gorman.....	14	56	40 00	96 00
A. L. Greene.....	6	24	24 00	48 00
W. W. Guy.....	9	36	22 50	58 50
R. R. Harris.....	15	60	16 00	76 00
J. S. Haydon.....	15	60	12 00	72 00

REPRESENTATIVES' NAMES.	Days.	Per Diem.	Mileage.	Total.
G. V. Hebb....	15	60	9 60	69 60
R. B. Hurt.....	15	60	5 50	65 50
B. M. Ingram..	12	48	22 50	70 50
W. E. B. Jones .....	15	60	22 00	82 00
Robert Johnson.....	.....	.....	.....	.....
W. R. Kenner.....	15	60	14 00	74 00
T. J. Kennedy.....	15	60	7 60	67 60
Alvin Kincaid.....	15	60	30 00	90 00
J. W. Kincaid..	10	60	30 00	70 00
B. J. Lea.....	15	60	20 00	80 00
H. O. Lockhart.....	15	60	8 00	68 00
W. L. Martin.....	15	60	5 00	65 00
T. B. Mayfield.....	15	60	20 00	80 00
J. G. McCabe .....	15	60	6 00	66 30
Jonathan Morris.....	8	32	16 00	48 00
J. L. Morphis.....	15	60	16 00	76 00
R. C. Nall .....	15	60	28 00	88 00
John Norman.....	15	60	9 00	69 00
J. G. Pickett.....	.....	.....	.....	.....
James D. Porter.....	.....	.....	.....	.....
Stith Richardson...	15	60	40 00	100 00
D. A. Roberts...	15	60	20 00	80 00
W. M. Russell.....	15	60	12 00	72 00
D. W. C. Senter.....	15	60	40 00	100 00
J. M. Sheid.....	15	60	9 00	69 00
John Smith.....	15	60	10 00	70 00
J. M. Sowell.....	15	60	10 00	70 00
A. G. Shrewsbury .....	5	20	30 00	50 00
J. F. Trevitt .....	15	60	40 00	100 00
A. J. Vaughn.....	.....	.....	.....	.....
J. B. White.....	15	60	.....	60 00
C. H. Whitmore.....	15	60	25 00	85 00
Mat. Williams .....	15	60	8 00	68 00
John Williams.....	5	20	25 00	45 00
John J. Williams.....	15	60	12 00	72 00
J. L. Williamson.....	15	60	15 00	75 00
W. H. Wisener.....	15	60	8 00	68 00
J. Woods.....	15	60	2 50	62 50
J. Woodard .....	15	60	.....	60 00
W. C. Whittherne, Speaker.....	.....	.....	.....	.....

**W. C. WHITTHORNE,**

*Speaker of the House of Representatives.*

**B. L. STOVALL,**

*Speaker of the Senate.*

Passed June 27, 1861.

# PRIVATE ACTS.

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## CHAPTER 1.

AN ACT for the manufacture of Fire-Arms, Gunpowder, &c.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Court of Giles county be authorized to assess and collect a tax in said county, for the manufacture of fire-arms, gunpowder and other munitions of war necessary for mutual defence and safety.

SEC. 2. *Be it, further enacted*, That said tax shall be assessed upon the taxable property in said county, under the rules and regulations prescribed for the collection of the State and county tax.

SEC. 3. *Be it further enacted*, That Thomas E. Jenkins and William McGill, be, and they are hereby incorporated as the American Letter Express Company, for the sole purpose of conveying letters and printed matter from points within to points without the boundaries of the State of Tennessee.

Letter Express  
Company.

SEC. 4 *Be it further enacted*, That the capital stock of said company shall be five hundred dollars (\$500,) more or less; as may be necessary to carry out the objects of the company; so soon as the said sum shall have been subscribed, the said parties before mentioned are hereby incorporated by the name of the American Letter Express Company, and by that name shall be capable, in law, of purchasing, holding, selling, leasing and conveying estate, real and personal, and mixed, so far as the same may be necessary, for the purposes of said corporation, to conduct the business to the advantage of the stockholders, and the satisfaction of the community, and by said corporate name may sue and be sued, and shall exercise all the powers, rights and privileges which other corporate bodies may lawfully do, for the purposes mentioned in this act.

SEC. 5. *Be it further enacted*, That nothing in this act

shall be so construed as to give banking privileges to said company, and nothing herein contained shall exonerate the stockholders, or any one of them, in said incorporated company, from individual liability upon all contracts or debts of any and every description whatever, which may be entered into by said company.

Nashville Gun  
Factory.

SEC. 6. *Be it further enacted*, That Irby Morgan, John O. Ewing, John M. Bass, William B. Dortch, J. M. Hamilton, G. W. Donigan and Mason Vannoy, of Davidson county, be, and are hereby incorporated under the name and style of the Nashville Gun Factory, for the purpose of manufacturing guns, pistols, swords, and other implements of war. That they shall be entitled to all the privileges of a corporate company, have and use a common seal, pass by-laws, &c. The capital stock of said company shall range from three thousand to fifty thousand dollars, divided into shares of twenty dollars (\$20.)

SEC. 7. *Be it further enacted*, That books may be opened in Nashville, and elsewhere, for subscription, by the commissioners aforesaid, and when the sum of three thousand dollars is subscribed, the company shall be considered as formed; they may then elect a President and two directors, by the votes of the stockholders, who shall hold office for one year, and be elected annually by the stockholders; each share is entitled to one vote. The directors may appoint a superintendent, and any other necessary officers; the stock shall be paid in money, on calls made by the directors; individuals or corporations may subscribe and own stock.

SEC. 8. *Be it further enacted*, That the directors may buy, lease or rent real estate sufficient to carry on their business, and give notes, and incur corporate liabilities for the same, and for machinery, raw materials, old weapons, or anything else connected with their business.

SEC. 9. *Be it further enacted*, That this charter shall be available, and in force, for thirty years. The stocks transferable on the books of the company, have power to sue and be sued, and all other privileges and rights incident to a manufacturing company.

Insurance  
y.

SEC. 10. *Be it further enacted*, That an act incorporating the Middle Tennessee Insurance Company, and for other purposes, passed March 24, 1860, be amended as follows, touching the Energetic Insurance Company of Nashville, be changed to that of the Confederacy Insurance Company.

arts.

SEC. 11. *Be it further enacted*, That in regard to the courts mentioned in section No. 49, Courts of the Confederate States of America be added thereto; and that wher-

ever, in other sections, the name Nashville occurs, Memphis shall be substituted therefor.

SEC. 12. *Be it further enacted*, That after the words, "either by mortgage or mortgages of real estate," as occurring in section No. 50, the words, "county or State bonds of the Confederate States of America," be added.

SEC. 13. *Be it further enacted*, That Joseph Nash, Benjamin F. Dill and Franc. M. Paul, or a majority of them, are hereby substituted instead of the persons named in section No. 49, to open books of subscription to the capital stock of the company, and to proceed in the organization thereof.

SEC. 14. *Be it further enacted*, That Jno. L. Bridges and R. C. Jackson, and their associates, be incorporated under the name and style of the Athens Express Company, with the same capital stock, and for the same purposes, and with the same restriction, as provided for the American Letter Express Company. Athens Express Company.

SEC. 15. *Be it further enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed June 28, 1861.

## CHAPTER 2.

AN ACT to amend the Charter of the East Tennessee and Virginia Railroad Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the East Tennessee and Virginia Railroad Company be, and the same is hereby so amended that each stockholder in said road is hereby authorized, in person or by proxy, to cast one vote for each share which he, she, or they may hold of the stock in said road.

SEC. 2. *Be it further enacted*, That the aforesaid East Tennessee and Virginia Railroad Company is hereby au-

thorized to charge and collect for freights over said road, per mile, the same charges which are authorized on the East Tennessee and Georgia Railroad, and no more.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed June 29, 1861.

### CHAPTER 3.

AN ACT to incorporate Powell's River Lead Mining Company, and for other purposes

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Alexander E. Smith and John Caldwell, and their associates, are hereby constituted a body politic and corporate, under the name and style of the Powell's River Lead Mining Company, for the purposes of exploring and mining for lead, silver, and other minerals, and for working, smelting, manufacturing, and vending the same; and to continue to them and their successors for the period of ninety-nine years; with power to make and use a common seal, and to change the same at pleasure; to make such by-laws, not inconsistent with the laws of this State and of the Confederate States, as it may be deemed proper and necessary for its government; in its corporate name to sue and be sued, plead and be impleaded; to hold by purchase or otherwise any real or personal property which may be useful or necessary for carrying on its operations, or which it may become possessed of in payment of debts, to-wit: *Provided*, that the just cost of such real estate shall not exceed the maximum amount of capital stock hereinafter provided for.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall not be less than one hundred thousand dollars, and not more than one million dollars, to be divided into shares of not less than ten dollars each. The amount of capital stock, the number and price of shares, shall be fixed and agreed upon by the corporators at their first meeting under this act; nothing but money or mineral property shall be regarded as a basis for capital stock; the stock to be subscribed and paid for as the Board of Directors may prescribe; the stock shall be considered per-



ional property, and be transferable only on the books of the Company or by attorney.

SEC. 3. *Be it further enacted*, That the corporators named in the first section of this act shall be the Directors for the first year, and until others are elected in their stead. The annual meetings of the Company shall be held at such times and places as the Board of Directors may determine from year to year—twenty days' notice being given of the time and place of such meeting. At each annual meeting a Board of Directors shall be chosen for the ensuing year; but in case of failure to elect a Board of Directors, the charter of this Company shall not be forfeited thereby, but the Directors of the previous year shall continue in office until others are elected in their stead. The Directors shall appoint one of their number President, and shall appoint such other officers and agents as they may deem proper, and affix their salaries.

SEC. 4. *Be it further enacted*, That all the stockholders not having paid their stock according to the terms of subscription, shall be individually liable to the creditors of the Company, to the amount so remaining unpaid; and in like manner shall the Directors be individually liable for any amount they may declare and authorize to be paid to the stockholders as dividends. When the Company shall be unable to pay all the debts due by it, to avoid such liability on his part, the dissenting Director shall enter, or cause to be entered in the minutes of the Board his dissent thereto, within thirty days after such dividend shall have been authorized.

SEC. 5. *Be it further enacted*, That the said Company shall not contract any debts over and above the capital stock paid in; no part of which shall be withdrawn, or in any way or manner diverted from the business of the Company, without the consent of three-fourths in interest of the stockholders.

SEC. 6. *Be it further enacted*, That in order to the more effectually carrying on the business of the Company, it shall have power, and is hereby authorized to construct a dam across Powell's river, at such point near their mine as may best promote their interest: *Provided*, said dam shall be so constructed as to allow the free passage of flatboats and rafts down such river.

SEC. 7. *Be it further enacted*, That in order to encourage home enterprise, and promote the development of the resources of this State, the Governor and the Military and Financial Board are hereby authorized to contract with said Company for such amount of lead as they may deem proper.

Cove Lead Mining Co.

SEC. 8. *Be it further enacted*, That A. Jackson, W. B. Deaderick, and N. T. Jackson and their associates be, and they are hereby constituted a body corporate and politic, by the name and style of the Bumpass Cove Lead Mining Company, with all the powers and privileges, and subject to the same liabilities and restrictions as are conferred and imposed upon the Powell's River Lead Mining Company.

Saltpetre Co.

SEC. 5. *Be it further enacted*, That William H. Caruthers, William Phillips, Daniel Lowe, and such other persons as they may associate with them, are hereby incorporated under the name and style of the Hickman County Saltpetre Company, for the purpose of manufacturing saltpetre, and shall have all the powers of the foregoing corporations, so far as applicable to their business.

SEC. 10. *Be it enacted*, That this act take effect from and after its passage.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Passed May 7, 1861.

## CHAPTER 4.

AN ACT to incorporate the Confederate Paper Mill Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Benjamin F. Dill, Henry D. Small, G. P. Foote, and J. O. Greenlaw, of the county of Shelby, and State of Tennessee, and their associates and successors be, and they are hereby created a body politic and corporate, by the name and style of the Confederate Paper Mill Company, with full right and power to sue and be sued, to hold real and personal property in their corporate capacity, to have a common seal, to transfer stock, and to do and perform all acts, and transact all business in any wise appertaining to the manufacture of paper of all kinds.

SEC. 2. *Be it further enacted*, That the capital stock of said company shall be twenty-five thousand dollars, in shares of one thousand dollars each, which said capital stock may be increased to fifty thousand dollars by the vote of a majority of the stockholders, at any time after the organization: *Provided*, That in this, and in all other

votes and elections requiring stockholders to vote, and a majority of all shall govern.

SEC. 3. *Be it further enacted*, That if the stockholders so determine by vote, as aforesaid, the machinery of said company, or any other machinery which they may purchase, may be used with all the privileges herein granted, for any other manufacturing purpose whatsoever. The said company shall have power to declare dividends, make its own by-laws, elect a Directory, President, and Secretary and Treasurer, and such other officers as may be necessary; it shall have the power to borrow money, and said corporation shall have the power to issue its bonds, running not more than five years, and bearing eight per cent. interest per annum, to an amount not exceeding fifteen thousand dollars, upon which to borrow money for the purpose aforesaid. But said company shall not incur liabilities of any kind over and above the amount of capital stock at any time, and in the event of its so doing, the stockholders shall be liable for the excess of such liability, in proportion of the stock held by each.

SEC. 4. *Be it further enacted*, That said company shall have a corporate existence of thirty years. This act to take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*  
B. L. STOVALL,  
*Speaker of the Senate.*

Passed July 1, 1861.



# RESOLUTIONS.

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## NUMBER 1.

Joint Resolution to provide for raising a Joint Select Committee on Federal Relations, Military Affairs and Ways and Means.

*Be it resolved by the General Assembly of the State of Tennessee,* That a Joint Select Committee on Federal Relations be appointed, to consist of five members on the part of the Senate, and eight members on the part of the House of Representatives.

*Resolved,* That a Joint Select Committee on Military Affairs be in like manner appointed, to consist of three members on the part of the Senate, and six on the part of the House of Representatives.

*Resolved,* And also, that a Committee on Ways and Means be in like manner appointed, to consist of five on the part of the Senate, and eight on the part of the House of Representatives.

*Be it further resolved,* That all other standing committees of the regular session be continued in existence during the present session.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

TAZ. W. NEWMAN,  
*Speaker of the Senate.*

Adopted April 26, 1861.

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## NUMBER 2.

Joint Resolution to authorize the Governor to make immediate purchase of Subsistence and Rations, Arms, &c., for the State.

*Resolved by the General Assembly of the State of Tennessee,* That the Governor of this State be, and he is hereby authorized to make contracts to ration and subsist

the military forces of the State, by the purchase of such supplies as may be deemed prudent and necessary, as well as arms and other munitions, as may be important to equip the military forces of the State, to be procured before the further action of the General Assembly by the passage of acts, &c. And that this Assembly hereby pledges itself to follow up such purchases or engagements with a bill or act, making the necessary appropriations of money to meet or liquidate the same.

*Resolved*, That the Governor be allowed to appoint such agents as may be necessary to carry out the provisions of this resolution.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*  
B. L. STOVALL,  
*Speaker of the Senate.*

Adopted April 26, 1861.

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### NUMBER 3.

Joint Resolution to provide for stationing Guards at Railroad bridges within this State.

*Resolved by the General Assembly of the State of Tennessee*, That this Assembly will hereafter sustain any reasonable expenses incident to the stationing of guards at any and all railroad bridges and depots within this State, whenever in the judgment of the Governor, it becomes necessary.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

T. W. NEWMAN,  
*Speaker of the Senate.*

Adopted April 27, 1861.

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### NUMBER 4.

Joint Resolution in relation to printing the Permanent Constitution of the Confederate States.

*Resolved by the General Assembly of the State of Tennessee*, That fifty thousand copies of the Permanent Con-

stitution of the Confederate States, and the law passed by this General Assembly for submitting the same to the voters of the State, be printed by the Public Printers, in hand bill form, for distribution among the people of Tennessee, and that the Secretary of State send to each-county their *pro rata* share of the same, by mail or other convenient mode, to the County Court Clerks for distribution.

*Be it further resolved*, That it shall be made the duty of said Clerks to distribute the same among the people in the various civil districts in their respective counties.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 29, 1861.

## NUMBER 5.

Joint Resolution to transfer Volunteer forces to the Confederate States.

*Resolved by the General Assembly of the State of Tennessee*, That the Governor be authorized and requested to place at the disposal of the Confederate States the volunteer forces of the State of Tennessee, the same to be mustered into the service of said States, subject to the rules and regulations adopted by the Confederate authorities for the government of the Confederate Army; and that in making arrangements therefor we shall have in view the placing of the defence of the State under the immediate control and direction of the President of the Confederate States.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 29, 1861.

## NUMBER 6.

Joint Resolution tendering the Capitol to the President and Congress of the Confederate States.

*Resolved by the General Assembly of the State of Tennessee,* That in the event the voters of the State decide to assume their independence, and adopt the Constitution of the Provisional Government of the Confederate States, on the 8th day of June, 1861, then the President, Cabinet, and Congress of the Confederate States, now sitting at Montgomery, Alabama, be, and are hereby invited to the city of Nashville, if the defence of our country, in their judgment, should make it expedient to do so; and that the Capitol is hereby tendered them.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 7, 1861.

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## NUMBER 7.

Joint Resolution authorizing the Adjutant General to have the use of a room in the Capitol.

*Resolved by the General Assembly of the State of Tennessee,* That the Adjutant General of the State of Tennessee have the use of the room in the Capitol building, known as the Archives Room, for an office during his necessary attendance here as Adjutant General.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted April 29, 1861.

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## NUMBER 8.

*Resolved by the Senate of Tennessee,* That His Excellency, the Governor, be requested, if compatible with the



public interest, to communicate to this body in secret session, whether he has any facts in his possession going to show that the commerce of the State has been obstructed, or goods intended for Tennessee detained or confiscated by persons acting under Federal authority. It is respectfully asked that he will give all the information he has to this body relative to the foregoing inquiry.

A true copy.

JOHN McCLARIN,

*Clerk of Senate.*

## NUMBER 9.

Joint Resolution requesting Governor Harris to open a correspondence by telegraph with the Governor of Illinois, in relation to the seizure of the cargo of the steamer C. E. Hillman, at Cairo.

WHEREAS, We have been informed that, by order of the Governor of Illinois, the steamer C. E. Hillman, laden from St. Louis to Nashville with sundry merchandise, was boarded and dispossessed of all its cargo, by troops concentrated at Cairo; therefore,

*Resolved by the General Assembly of the State of Tennessee,* That Governor Harris be, and he is hereby requested immediately to open a correspondence by telegraph with the Governor of Illinois, making a demand for a restitution of the cargo of the C. E. Hillman, and such damages as have resulted to the owners of said boat by such unjust and lawless conduct of the Illinois troops; and the Governor be requested to communicate the said correspondence to the General Assembly.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Adopted May 1, 1861.

## NUMBER 10.

Joint Resolution to appoint Commissioners from the State of Tennessee to confer with the authorities of the Confederate States, in regard to entering into a Military League.

*Resolved by the General Assembly of the State of Tennessee,* That the Governor be, and he is hereby authorized

and requested to appoint three Commissioners on the part of Tennessee, to enter into a Military League with the authorities of the Confederate States, and with the authorities of such other slaveholding States as may wish to enter into it; having in view the protection and defence of the entire South against the war that is now being carried on against it.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 1, 1861.

## NUMBER 11.

Joint Resolution to appoint a Joint Select Committee to prepare an Address to the people of Tennessee.

*Be it resolved by the General Assembly of the State of Tennessee, That a joint select committee be appointed, to consist of five members on the part of the Senate, and eight members on the part of the House of Representatives, whose duty it shall be to prepare an address to the people of Tennessee, upon the dangerous crisis in our affairs, and the necessity for prompt and decisive action.*

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate]*

Adopted May 1, 1861.

## NUMBER 12.

Joint Resolution directing the printing of Hardee's Military Tactics for the use of the State.

*Resolved by the General Assembly of the State of Tennessee, That the Secretary of State be authorized to have published for the use of the State, four thousand (4,000)*

copies of Hardee's *Military Tactics*, to be bound in plain, cheap, substantial binding. One copy of each to be furnished to each commissioned officer engaged in military duty under the authority of the State, and that the same be paid for as other public printing, that the Secretary contract for the same on the best terms practicable.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Adopted May 2, 1861.

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### NUMBER 13.

Joint Resolution protesting against the interception of Free Navigation of the Mississippi.

*Resolved by the General Assembly of the State of Tennessee,* That we receive with profound regret, intelligence of the facts that an armed force, under orders from the Government of Illinois, is stationed at Cairo, with intentions to interfere, unlawfully, with the free navigation of the Mississippi, and the commander of said force, in obedience to orders from the Governor of Illinois, has unlawfully detained a boat and cargo, the property of citizens of Tennessee, in violation of the rights of the people of this State, dangerous to the peaceful relations, and destructive of the best interests of the people of the State respectively.

2. In view of this unlawful detention and seizure of the property and effects of citizens of Tennessee, and usurpation of authority, in obstructing the free navigation of the Mississippi, we most solemnly reiterate the declaration of rights of the people of Tennessee, that the equal participation of the free navigation of the Mississippi is one of the inherent rights of the citizens of this State, it cannot, therefore, be conceded to any power, potentate, prince, person or persons whatever, and in vindication of this right, we pledge our lives, our fortunes, and our sacred honor.

*Resolved further*, That the Governor transmit a copy of the above resolution to the Governor of Illinois, and also to the President of the United States.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 8, 1861.

## NUMBER 14.

Joint Resolution providing for a Bank Congress of the Confederate States.

1. *Resolved by the General Assembly of the State of Tennessee*, That in the present unsettled and distracted posture of public affairs, it is important that the Banks of the Southern States should, at an early day, be represented in a General Convention or Congress, to confer and adopt such line of policy as will best promote the general welfare, and insure a currency of uniform value throughout the South.

2. *Resolved*, That said Congress be held at Atlanta, Georgia, on the first Monday in June, 1861, or at such other time and place as may be designated by a majority of the States co-operating.

3. *Resolved*, That Dempsey Weaver, Granville P. Smith, John Kirkman, D. N. Kennedy, Fred. W. Smith, Moses J. Wiggs, John R. Branner, W. D. Fulton and Wm. A. Quarles, be appointed delegates to represent the Banks of Tennessee in said Congress, and that the Governor notify them of their appointment.

4. *Resolved*, That copies of these resolutions be forthwith forwarded by the Governor of Tennessee, to the Governors of the several Southern States, with the request that they urge their banks to participate in said Congress.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 8, 1861.

## NUMBER 15.

Joint Resolution to allow Members and Officers of the General Assembly to draw their *per diem* and mileage.

*Resolved by the General Assembly of the State of Tennessee,* That the members and officers of this Legislature be allowed to draw their *per diem* and mileage from time to time during the present extra session.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted April 26, 1861.

## NUMBER 16.

Joint Resolution to authorize the Governor to organize the Regiments and Companies tendered him, and hold them in readiness for service.

*Resolved by the General Assembly of the State of Tennessee,* That the Governor of the State of Tennessee be, and he is hereby authorized to order immediate organization of all the regiments and companies tendered to him in the State.

*Resolved,* That they be drilled by their respective officers, and held in immediate readiness for service in the State, if necessary, or to assist any of our sister Southern States in the present revolution in defence of liberty and justice.

*Be it further resolved,* That each regiment and independent company, as organized, shall report the field and company officers, with non-commissioned officers and privates, to the Secretary of State, and the commissioned officers shall be commissioned by the Governor and entered into the service, first by regiments, battalions, and then by companies, according to the date of organization.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted April 27, 1861.

## NUMBER 17.

**Joint Resolution** approving the action of the Governor in refusing troops to Abraham Lincoln.

*Resolved by the General Assembly of the State of Tennessee,* That the refusal of the Governor of this State to furnish troops in compliance with the call of Abraham Lincoln, meets the cordial approval of this body, and reflects the will of the State.

*Resolved further,* That the people of Tennessee will resist with all their power, and to the last extremity, any attempt on the part of the Government at Washington to invade or subjugate the Southern States.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted April 27, 1861.

## NUMBER 18.

**Joint Resolution** to request a copy of the address of the Hon. H. W. Hilliard to this General Assembly for publication.

*Resolved by the General Assembly of the State of Tennessee,* That the Hon. H. W. Hilliard is hereby respectfully requested to furnish a copy of his late address to this General Assembly, in order that the same may be published.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 2, 1861.

## NUMBER 19.

Joint Resolution authorizing the Governor to issue to Captain Sevier's Company, ninety-four Minnie Guns.

WHEREAS, The equipment of Captain Sevier's company of volunteers, of Davidson county, with arms similar to the balance of the regiment, is necessary to the efficiency of said regiment, which is now ready to be mustered into service; therefore,

*Resolved by the General Assembly of the State of Tennessee,* That the Governor be authorized and requested to issue to said company, *ninety-four* Minnie guns, of uniform style with those of the other companies.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 3, 1861.

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## NUMBER 20.

Joint Resolution in relation to printing Hardee's Military Tactics.

*Resolved by the General Assembly of the State of Tennessee,* That in view of the immediate demand for the work, that so much of a resolution heretofore passed by this Assembly, requiring the Secretary of State to procure the publication of Hardee's Tactics by letting it out to the lowest bidder, be, and the same is hereby repealed; and that the publication be made under the contract with the public printer, as in other cases of public printing.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 6, 1861.

## NUMBER 21.

Joint Resolution Ratifying and Confirming a Military League with the Confederate States.

WHEREAS, A military league, offensive and defensive, was formed on this, the 7th of May, 1861, by and between A. W. O. Totten, Gustavus A. Henry, and Washington Barrow, Commissioners on the part of the State of Tennessee, and H. W. Hilliard, Commissioner on the part of the Confederate States of America, subject to the confirmation of the two governments;

*Be it therefore resolved by the General Assembly of the State of Tennessee*, That said league be, in all respects, ratified and confirmed; and the said General Assembly hereby pledges the faith and honor of the State of Tennessee to a faithful observance of the terms and conditions, of said league.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Adopted May 7, 1861.

## NUMBER 22.

Joint Resolution to furnish each member of the Senate and House of Representatives with one copy of Hardee's Military Tactics.

*Resolved by the General Assembly of the State of Tennessee*, That of the copies of Hardee's Military Tactics ordered to be printed, one copy to each of the Senators and Representatives of this General Assembly, and to the officers of the Senate and House of Representatives, one copy each, be, and the same are hereby ordered to be furnished.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Adopted May 7, 1861.



## NUMBER 23.

Joint Resolution to remove the Obligation of Secrecy and to publish the proceedings of the Legislature.

*Resolved by the General Assembly of the State of Tennessee,* That the obligation of secrecy on the members, as to the proceedings of this Legislature, be now removed, and that the public printers are hereby required and commanded to print immediately three thousand copies each, of the act "Submitting the Ordinance of Separation to a vote of the people," and also of the "Army Bill," and send them to the members of the General Assembly in their proper proportions, by mail, and draw on the Treasury of the State for the postage on the same.

*And resolved further,* That the printers also publish, as rapidly as possible, all the bills and resolutions passed by this General Assembly, together with the Journal of both Houses.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*  
B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 7, 1861.

## NUMBER 24.

Joint Resolution directory to the Governor.

*Resolved by the General Assembly of the State of Tennessee,* That the Governor be requested to communicate to this body, whether he has received, either from the Governor of Illinois, or President of the United States, any communication in relation to recent capture of property belonging to the State, and citizens of Tennessee, by the Federal forces from the steamer Hillman, at Cairo, and if not, what steps, if any, he has taken, to secure indemnity for the unlawful seizure of the same.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*  
B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 7, 1861.

## NUMBER 25.

Joint Resolution giving the Banks authority to issue notes for any denomination not less than one dollar.

*Be it resolved by the General Assembly of the State of Tennessee,* That the Banks of this State be authorized to issue notes of any denomination not less than the sum of one dollar, and that they be authorized to pay out the notes of any of the Banks of the Southern States that they are willing to receive on deposit or take in payment of debts due them.

*Resolved further,* That the Supervisor of Banks, by and under the concurrence, in writing, of the Military and Financial Board, may temporarily suspend the operation of any provision of the Bank Code when in their judgment the public good demands it. The suspension to date from the time they file with the Secretary of State their written resolution to that effect.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*  
B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 8, 1861.

## NUMBER 26.

Joint Resolution to Adjourn on Thursday the 9th inst., till Monday the 17th June.

*Resolved by the General Assembly of the State of Tennessee,* That this body will adjourn on Thursday the 9th inst., at 2 o'clock, P. M., till 12 o'clock on Monday the 17th of June; *Provided,* That during the adjournment therein provided for, *no per diem* shall be allowed members.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*  
B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 8, 1861.

## NUMBER 27.

Joint Resolution fixing the time of Adjournment.

*Resolved by the General Assembly of the State of Tennessee,* That the resolution of the two Houses of the General Assembly, providing for the adjournment of the Legislature at 2 o'clock on this day, be so amended as to read 4 o'clock instead of 2 o'clock.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 9, 1861.

## NUMBER 28.

Joint Resolution to authorize the Governor to make appointments to fill vacancies.

*Resolved by the General Assembly of the State of Tennessee,* That whenever it shall become necessary for the Governor to make any appointments in pursuance of an act entitled an act to raise, organize and equip a provisional force, and for other purposes, passed at the present session, and there shall be no Legislature in session, the Governor shall make the appointments, the appointee shall immediately enter upon the discharge of his duties, and his appointment shall be ratified or rejected by the General Assembly when next in session.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 9, 1861.

## NUMBER 29.

Joint Resolution to print the Constitution of the Confederate States.

*Resolved by the General Assembly of the State of Tennessee,* That five thousand copies of the Constitution of the Confederate States be printed for the use of members of this General Assembly, and that the Secretary of State send them by mail to the members, and that the Comptroller issue his warrant on the Treasurer to the Secretary of State, for an amount sufficient to pay the postage on the same; and that the same be printed and distributed *pro rata*, as soon as possible.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 9, 1861.

## NUMBER 30.

Joint Resolution requesting the Judges and Chancellors to postpone their Courts from time to time.

*Resolved by the General Assembly of the State of Tennessee,* That the Judges of the different Judicial Districts, and the Chancellors, be requested to postpone their Courts from time to time, until, in their judgment, it may be necessary to proceed in the usual way.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted May 9, 1861.

## NUMBER 31.

Joint Resolution in relation to Test Oaths and Punishment of Treason.

WHEREAS, The people of Tennessee, by a large majority, have dissolved all further political relations with

the government of the United States, and trusting as we do to the patriotism and loyalty of those who cast their votes against such separation, that they will submit to the decision and abide the fortunes of their State; therefore,

*Resolved*, That we, the members of the General Assembly, do earnestly appeal to the good citizens of the State to unite as one man against a common enemy; that we shall continue to trust to their love of country and their homes, rather than to stringent measures of legislation; and therefore that in our judgment neither new enactments for the punishment of treason, nor the passage of test oaths, to insure a pledge of loyalty from the citizens, are the remedies to be at present applied; but rather a continued reliance upon the patriotism and intelligence of the masses of the people of Tennessee.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Adopted May 20, 1861.

## NUMBER 32.

Joint Resolution in relation to requesting Judges not to hold Courts.

*Resolved by the General Assembly of the State of Tennessee*, That Judges of the Supreme and Circuit Courts, and Chancellors of the State, be requested not to hold their Courts for the period of twelve months from the passage of this resolution, for the trial of cases wherein debts and money are involved; but said Courts shall continue their sittings for the trial of criminal causes, collection of fines, forfeitures, &c., due the State or counties, and such civil causes as the parties thereto may agree shall be tried.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Adopted June 20, 1861.

## NUMBER 33.

Resolution providing for a Convention of the two Houses to elect a Librarian.

*Resolved by the General Assembly of the State of Tennessee, That the two Houses meet in Convention in the Hall of the House of Representatives, on Thursday the 20th inst., at 11 o'clock, A. M., for the purpose of electing a State Librarian.*

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 20, 1861.

## NUMBER 34.

Joint Resolution to authorize the Military and Financial Board to appoint an agent to settle accounts at Memphis.

*Resolved by the General Assembly of the State of Tennessee, That the Military and Financial Board be authorized to appoint an agent to proceed to Memphis and settle with the city authorities for sums of money expended in purchase of commissary, and quartermaster, and ordnance stores, and for fortifications intended for the common benefit and welfare of the State; Provided, that the settlement made by the agent under this resolution shall not be binding until it is approved by the Military and Financial Board.*

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 22, 1861.

## NUMBER 35.

Resolution in relation to the Coat of Arms over the Speakers' Chairs.

*Resolved by the General Assembly of the State of Tennessee,* That the Secretary of State is hereby instructed to have the coat of arms of the Confederate States substituted in place of those now over the Speakers' Chairs.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 22, 1861.

## NUMBER 36.

Joint Resolution on River Defences.

WHEREAS, The defence of the Mississippi Valley against the enemies of the South is of vital importance, and believing that every available means should be adopted to prevent a hostile descent of the Mississippi,

*Be it therefore resolved by the General Assembly,* That we respectfully ask of the Confederate States that an appropriation of not less than two hundred and fifty thousand dollars be made, to be used in preparing floating defences for said river, at as early a day as practicable.

*Resolved further,* That the Governor be requested to forward a copy of this resolution to the President of the Confederate States, and ask that the same be laid before the Provisional Congress at its next meeting.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 24, 1861.

## NUMBER 37.

Joint Resolution Directory to the Committee on Finance.

*Resolved by the General Assembly of the State of Tennessee,* That the Committee on Finance be instructed to report the time of actual service of each member of both Houses attending the remainder of the present extra session of the General Assembly, and that the members be required to report the time so served, together with their actual expenses in traveling to and from the seat of government, to said committee.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Adopted June 24, 1861.

## NUMBER 38.

Joint Resolution directory to the Quartermaster-General.

*Resolved by the General Assembly of the State of Tennessee,* That the Quartermaster's Department immediately make arrangements with the various railroad companies, stage contractors, and owners of steamboats in the State, to pass the soldiers of the Tennessee army, who are sent home on furlough on account of sickness, free, both going home and returning to their respective camps.

*Resolved,* That the Quartermaster-General be immediately furnished with a copy of this resolution.

W. C. WHITTHORNE,

*Speaker of the House of Representatives.*

B. L. STOVALL,

*Speaker of the Senate.*

Adopted June 27, 1861.



## NUMBER 39.

**Joint Resolution to appoint a Joint Select Committee upon the Memorial of the Commissioners appointed by the Greeneville Convention.**

*Resolved by the General Assembly of the State of Tennessee,* That a Joint Select Committee of five upon the part of the Senate, and eight upon the part of the House, be appointed to take into consideration the memorial received from the Commissioners appointed by the Convention held at Greeneville on the 17th, 18th, 19th and 20th of June, 1861.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 27, 1861.

## NUMBER 40.

**Joint Resolution relative to the Inspector of the Penitentiary.**

*Resolved by the General Assembly of the State of Tennessee,* That the inspector of the penitentiary of Tennessee be authorized to borrow for the use of said institution, the sum of ten thousand dollars, and the Bank of Tennessee be required to loan the same to said inspector, at the usual rate of discount; said loan to run until January the first, 1862; said money to be expended in the purchase of materials for making shoes, hats, and army accoutrements.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 28, 1861.

## NUMBER 41.

Joint Resolution declaring against the policy of drafting soldiers.

WHEREAS, Various unfounded rumors have been circulated in different parts of the State, to the effect that drafts would be resorted to for the purpose of calling into the service of the State the citizen soldiery of the State; therefore,

*Resolved by the General Assembly of the State of Tennessee,* That no such intention was contemplated or authorized in the Army Bill, nor is such a step recommended or contemplated by this General Assembly, as will specifically appear by reference to the first section of the said Army Bill, which provides for a volunteer force only. It appears that a much larger number of volunteers have tendered their services than were called for in the said Army Bill.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed June 29, 1861.

## NUMBER 42.

Joint Resolution instructive to our Delegates in the Southern Congress.

WHEREAS, The State of Tennessee is known to abound in all the natural material for the manufacture of arms and munitions of war; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That our delegates in the Provisional Congress are hereby requested to urge upon the government of the Confederate States the establishment of an arsenal and armory in this State.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted June 29, 1861.

## NUMBER 43.

*Resolved by the General Assembly of the State of Tennessee,* That the Governor be authorized and directed to accept the mounted company of Captain Biffle, of Wayne county, Tennessee, armed with rifles; *Provided however,* That said company shall not exceed the number of ninety privates.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed July 1, 1861.

## NUMBER 44.

*Joint Resolution in favor of allowing volunteers to vote.*

WHEREAS, The approaching election in August for Governor, Members of the General Assembly, and Deputies to the Provisional Congress, is a matter of deep interest to the people of Tennessee, and especially to the volunteer soldiery of the State, and in which election they shall, if possible, be allowed to participate;

*Therefore, resolved by the General Assembly of the State of Tennessee,* That the officers in command of the volunteer forces in the State be, and they are hereby requested, if consistent with the public safety, to give furloughs to such volunteers as may be entitled to vote, so as to enable them to attend the election in their respective counties, and also to furnish them such other facilities in going and returning therefrom as may be consistent with the rules of the service.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted July 1, 1861.

## NUMBER 45.

Joint Resolution concerning the location of the Permanent Seat of the Confederate States of America.

*Resolved by the General Assembly of the State of Tennessee,* That a joint select committee, consisting of two on the part of the House, and such number as the Senate may designate, be appointed, to call the attention of the authorities of the Confederate States of America to a resolution adopted by this General Assembly, tendering the said authorities the use of the State Capitol; and to correspond with said authorities touching the propriety and expediency of making the city of Nashville the permanent seat of government of the Confederate States; and that said joint committee act in conjunction with the committee of the City Council of Nashville.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*  
B. L. STOVALL,  
*Speaker of the Senate.*

Adopted 1861.

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## NUMBER 46.

*Be it resolved by the General Assembly of the State of Tennessee,* That the Governor of the State shall rank and grade the officers appointed under the act raising a provisional army of Tennessee, in the same way, and according to the same grade and rank as provided by law for officers in the service of the Confederate States.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*  
B. L. STOVALL,  
*Speaker of the Senate.*

Adopted July 1, 1861.

## NUMBER 47.

Joint Resolution voting thanks of General Assembly to Patton Robertson.

*Resolved by the General Assembly of the State of Tennessee,* That the thanks of this body be tendered to young Patton Robertson, for his gallant and soldierly bearing in the battle of Acquia Creek, on the 1st of June, 1861, and that Col. Bate be requested to read this resolution at the head of his regiment.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed July 1, 1861.

## NUMBER 48.

Joint Resolution authorizing the Governor to receive into the service the Cavalry Company of Q. C. Saunders.

*Resolved by the Senate and House of Representatives;* That the Governor of the State is hereby authorized to receive into the military service, Captain Q. C. Saunders' company of cavalry, which is now ready for the service, with double-barreled shot guns.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted July 1, 1861.

## NUMBER 49.

House Resolution.

*Resolved by the House of Representatives, the Senate concurring,* That this General Assembly adjourn *sine die* Monday July 1st, 1861.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Adopted 1861.

SECRETARY OF STATE'S OFFICE,  
*Nashville, Aug. 2, 1861.*

}

I, J. E. R. RAY, Secretary of State, hereby certify that the foregoing are true copies of the original enrolled Acts and Resolutions on file in my office.

J. E. R. RAY,  
*Secretary of State.*

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